

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

TWENTY-SECOND DAY'S PROCEEDINGS

**Fortieth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, April 15, 2014

The House of Representatives was called to order at 2:00 P.M., by the Honorable Chuck Kleckley, Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll being called, the following members answered to their names:

PRESENT

Mr. Speaker	Garofalo	Miller
Abramson	Geymann	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Morris, Jim
Arnold	Guinn	Norton
Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Robideaux
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Ivey	Seabaugh
Carter	Jackson	Shadoin
Champagne	James	Simon
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Stokes
Cromer	Lambert	Talbot
Danahay	Landry, N.	Thibaut
Dixon	Landry, T.	Thierry
Dove	LeBas	Thompson
Edwards	Leger	Whitney
Fannin	Leopold	Williams, A.
Foil	Lopinto	Williams, P.

Franklin
Gaines
Total - 105

Lorusso
Mack

Willmott
Woodruff

The Speaker announced that there were 105 members present and a quorum.

Prayer

Prayer was offered by Rev. Larry Turner of Christian Love Church.

Pledge of Allegiance

Rep. Gaines led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Hill, the reading of the Journal was dispensed with.

On motion of Rep. Brossett, and under a suspension of the rules, the Journal of Monday, April 14, 2014, was corrected to reflect him as having a day's leave of absence.

On motion of Rep. Hill, the Journal of April 14, 2014, was adopted.

**STANDING COMMITTEE MEETING SCHEDULE
2014 REGULAR SESSION**

Pursuant to House Rule 14.20, the Speaker proposes the following uniform schedule of committee meetings, to be adopted by the House of Representatives:

<u>Session Week</u>	<u>Day – Date</u>
Week 1	Convene @ Noon – 3/10 Morning – 3/11 Afternoon – 3/12 Weekly – 3/13
Week 2	Morning – 3/17 & 3/18 Afternoon – 3/19 Weekly – 3/20
Week 3	Morning – 3/24 & 3/25 Afternoon – 3/26 Weekly – 3/27
Week 4	Morning – 3/31 & 4/1 Afternoon – 4/2 & 4/3 Weekly – None
Week 5	Morning – 4/7 & 4/8 Afternoon – 4/9 Weekly – 4/10
Week 6	Morning – 4/14 & 4/15 Afternoon – 4/16 Weekly – None [Maundy Thursday]
Week 7	No Meetings – 4/21 [Easter Monday] Morning – 4/22 Afternoon – 4/23 Weekly – 4/24
Week 8	Morning – 4/28 Afternoon – 4/29 & 4/30 Weekly – 5/1
Week 9	Morning – 5/5 Afternoon – 5/6

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	Weekly – 5/7 No Meeting 5/8
Week 10	Morning – 5/12 Afternoon – 5/13 & 5/14 Weekly – 5/15
Week 11	Morning – 5/19 Afternoon – 5/20 Weekly – 5/21 No Meetings – 5/22
Week 12	MEMORIAL DAY – 5/26 Morning – 5/27 Afternoon – 5/28 Weekly – 5/29 No meetings – 5/30

Committees shall convene on their designated day at a time certain between the hours of 9:00 a.m. and 10:00 a.m.

Motion

On motion of Rep. Leger, the schedule of committee meetings was adopted.

Petitions, Memorials, and Communications

The following petitions, memorials, and communications were received and read:

Message from the Senate

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

April 15, 2014

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 54

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Message from the Senate

SENATE BILLS

April 15, 2014

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 57, 103, 122, 148, 183, 199, 207, 220, 222, 224, 289, 310, 313, 317, 342, 356, 386, 401, and 456

Respectfully submitted,

GLENN A. KOEPP

Secretary of the Senate

Senate Bills and Joint Resolutions on First Reading

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

SENATE BILL NO. 57— BY SENATOR BROOME

AN ACT

To enact R.S. 22:1025.1, relative to group, blanket, and association health insurance; to mandate inclusion of coverage for the treatment of lymphedema as an option in certain policies; and to provide for related matters.

Read by title.

SENATE BILL NO. 103— BY SENATOR MORRELL

AN ACT

To amend and reenact R.S. 27:28(E) and 431(D), relative to gaming; to prohibit application for certain approval, licenses, and permits for a period of five years under certain circumstances; and to provide for related matters.

Read by title.

SENATE BILL NO. 122— BY SENATOR MORRISH

AN ACT

To enact R.S. 42:1123(43), relative to the Code of Governmental Ethics; to provide for an exception to the prohibition of a public servant from doing business with a person who has a business relationship with the agency of the public servant under certain circumstances; and to provide for related matters.

Read by title.

SENATE BILL NO. 148— BY SENATOR DORSEY-COLOMB

AN ACT

To amend and reenact R.S. 14:32.1(B), relative to the crime of vehicular homicide; to provide relative to penalties when multiple homicides are involved in the offense; to provide for sentences to be served consecutively; and to provide for related matters.

Read by title.

SENATE BILL NO. 183— BY SENATOR MILLS

AN ACT

To enact R.S. 33:4690.13, relative to local governing authorities, the state and political subdivisions of the state; to provide additional notice to property owners of public works projects; and to provide for related matters.

Read by title.

SENATE BILL NO. 199— BY SENATOR MURRAY AND REPRESENTATIVE MILLER

AN ACT

To enact R.S. 42:1124.1(D), relative to personal financial disclosure; to provide for the assessment and collection of late fees; to provide civil proceedings to collect such assessment; and to provide for related matters.

Read by title.

SENATE BILL NO. 207—
BY SENATOR JOHN SMITH

AN ACT

To amend and reenact R.S. 23:1514(D)(1), relative to the Incumbent Worker Training Program; to provide for certain third-party training providers; and to provide for related matters.

Read by title.

SENATE BILL NO. 220—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 24:523, relative to the legislative auditor; to provide for notification of the legislative auditor and the district attorney of the misappropriation of certain public funds; to provide for authorization for the attorney general to pursue misappropriated funds; to provide for definitions; and to provide for related matters.

Read by title.

SENATE BILL NO. 222—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 13:5107(D)(1) and to enact Code of Civil Procedure Articles 1201(D) and 3955(D), relative to service of process; to provide relative to time periods for service and interruptions; to provide relative to certain legal delays; to provide certain terms, conditions, procedures and effects; and to provide for related matters.

Read by title.

SENATE BILL NO. 224—
BY SENATOR MURRAY

AN ACT

To enact R.S. 24:523.1, relative to the legislative auditor; to provide for the posting of notices relative to misappropriation, fraud, waste, or abuse of public funds; and to provide for related matters.

Read by title.

SENATE BILL NO. 289—
BY SENATOR JOHNS

AN ACT

To amend and reenact R.S. 32:393(C)(1)(b)(iv), 414(A)(1)(a), and the introductory paragraph of 853(A)(1)(c) and 853(A)(1)(c)(iii), relative to motor vehicles and traffic regulation; to provide relative to reports of traffic violations made to the Department of Public Safety and Corrections; to provide relative to suspension of driving privileges for a DWI conviction; to provide that a suspended sentence and probation for certain DWI offenses is a conviction of DWI for purposes of suspending a driver's license under certain circumstances; to provide relative to vehicle operating records; and to provide for related matters.

Read by title.

SENATE BILL NO. 310—
BY SENATOR BROOME

AN ACT

To enact Chapter 11 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1501, relative to regional public transportation; to provide for the development and implementation of training of members of boards and commissions of regional public transit entities; to require training for such membership; to provide that the lack of training is a cause for removal; and to provide for related matters.

Read by title.

SENATE BILL NO. 313—
BY SENATORS WHITE AND DORSEY-COLOMB

AN ACT

To amend and reenact R.S. 14:62.8(B)(2), relative to the crime of home invasion; to provide a minimum sentence of five years imprisonment at hard labor for home invasion; and to provide for related matters.

Read by title.

SENATE BILL NO. 317—
BY SENATOR GARY SMITH

AN ACT

To enact R.S. 32:295.4(5), relative to motor vehicle checkpoints; to require certain law enforcement agencies to establish procedures that prohibit checkpoints where the only vehicles subject to or targeted for inspection are motorcycles; and to provide for related matters.

Read by title.

SENATE BILL NO. 342—
BY SENATORS DONAHUE, CROWE AND NEVERS AND REPRESENTATIVES TIM BURNS, CROMER, HOLLIS, PEARSON, RITCHIE AND SIMON

AN ACT

To amend and reenact R.S. 38:291(V) and 330.2(A)(1)(a), to enact R.S. 38:329.6, and to repeal R.S. 38:330.1(B)(1)(a)(iv), relative to levees; and to provide for related matters.

Read by title.

SENATE BILL NO. 356—
BY SENATOR WHITE

AN ACT

To enact R.S. 2:18, relative to the regulation of aeronautics; to restrict the use of unmanned aircraft systems under certain circumstances; to provide definitions; to provide for criminal penalties and civil liability; and to provide for related matters.

Read by title.

SENATE BILL NO. 386—
BY SENATOR LAFLEUR

AN ACT

To amend and reenact R.S. 24:513(A)(3), relative to the legislative auditor; to provide for the content of audits by the legislative auditor; and to provide for related matters.

Read by title.

SENATE BILL NO. 401—
BY SENATOR MILLS

AN ACT

To enact R.S. 22:1857.1, relative to pharmacies; to provide with respect to third party contracts with pharmacies; and to provide for related matters.

Read by title.

SENATE BILL NO. 456—
BY SENATOR ALLAIN

AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b)(i), relative to the Code of Governmental Ethics; to provide for the applicability of the nepotism provisions to hospital service districts; and to provide for related matters.

Read by title.

Suspension of the Rules

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On motion of Rep. Lorusso, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent at this time.

Introduction of Resolutions, House and House Concurrent

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 77—

BY REPRESENTATIVE LORUSSO

A RESOLUTION

To express the sincere condolences of the Louisiana House of Representatives upon the death of Dan Levy, Jr., of Metairie, Louisiana.

Read by title.

On motion of Rep. Lorusso, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 78—

BY REPRESENTATIVE JEFFERSON

A RESOLUTION

To direct the Department of Public Safety and Corrections to study the feasibility and make recommendations relative to the expansion of the workforce development sentencing program to include additional judicial district reentry courts.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 79—

BY REPRESENTATIVE KATRINA JACKSON

A CONCURRENT RESOLUTION

To commend Ransom Rambo for his significant achievements and contributions as a Louisiana artist and to urge and request the state Department of Education and public school governing authorities to review his "Faces of Freedom" lithograph, which honors African American heroes, to take note of its historic and educational value, and to consider incorporating it into the seventh grade curriculum for American history.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 80—

BY REPRESENTATIVE KATRINA JACKSON

A CONCURRENT RESOLUTION

To commend the efforts of The Links, Incorporated and to recognize Wednesday, April 23, 2014, as Louisiana Links Day at the Louisiana State Capitol.

Read by title.

On motion of Rep. Anders, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVE PEARSON

A CONCURRENT RESOLUTION

To authorize and direct the Department of Health and Hospitals to amend LAC 48:V.6303 to add adrenoleukodystrophy to the list of mandatory screenings performed on newborns when it is recommended by the United States Department of Health and Human Services Secretary's Advisory Committee on Heritable Disorders in Newborns and Children, the American College of

Medical Genetics, and the Louisiana Newborn Screening Advisory Committee.

Read by title.

On motion of Rep. Reynolds, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

House and House Concurrent Resolutions Lying Over

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 81—

BY REPRESENTATIVE PEARSON

A CONCURRENT RESOLUTION

To authorize and direct the Department of Health and Hospitals to amend LAC 48:V.6303 to add adrenoleukodystrophy to the list of mandatory screenings performed on newborns when it is recommended by the United States Department of Health and Human Services Secretary's Advisory Committee on Heritable Disorders in Newborns and Children, the American College of Medical Genetics, and the Louisiana Newborn Screening Advisory Committee.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 83—

BY REPRESENTATIVE KATRINA JACKSON

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to reinstate the separation of commercial and investment banking functions that were in effect under the Glass-Steagall Act.

Read by title.

Under the rules, the above resolution was referred to the Committee on Commerce.

Senate Concurrent Resolutions Lying Over

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 53—

BY SENATOR MILLS

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Board of Medical Examiners to place on its official website a link to information regarding end of life care in the state of Louisiana.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

Senate Bills and Joint Resolutions on Second Reading to be Referred

The following Senate Bills and Joint Resolutions on second reading to be referred were taken up, read, and referred to committees, as follows:

SENATE BILL NO. 54—
BY SENATOR BROOME

AN ACT

To amend and reenact Children's Code Articles 793.1, 793.3 and 793.4, relative to early intervention programs; to authorize the program in East Baton Rouge Parish; to provide certain procedures, terms, conditions and fees; to provide for a method of collecting and depositing fees to fund such early intervention program; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Health and Welfare.

SENATE BILL NO. 155—
BY SENATOR NEVERS

AN ACT

To amend and reenact R.S. 23:382(B), 384(A), the introductory paragraph of 384(B) and (B)(2), (3), and (4) and (C), 385(B), 386, the introductory paragraph of 387 and 387(9), 388, 389, 390, and 391, relative to apprenticeship; to provide for prohibited discrimination in employment; to provide collective bargaining contracts; to make technical changes; to provide for exceptions; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 198—
BY SENATOR RISER

AN ACT

To amend and reenact R.S. 23:1168(A)(1) and (4) and (B), 1170(A) and (B), 1171, 1171.1, and 1291(C)(5) and to enact R.S. 23:1170(C), and to repeal R.S. 23:1168(A)(5), relative to workers' compensation; to require for compliance; to provide for reporting of compliant coverage; to provide for penalties; to provide for matters to be determined by workers' compensation judges; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Labor and Industrial Relations.

SENATE BILL NO. 572—
BY SENATOR MURRAY

AN ACT

To amend and reenact R.S. 33:9091.1(F)(1)(b), (2)(a), and (3)(b) and (c), relative to the Lakeview Crime Prevention District; to provide for parcel fees; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 587—
BY SENATOR PETERSON

AN ACT

To amend and reenact R.S. 33:9091.14(D), (F)(1), (2) and (3)(c), relative to the Mid-City Security District; to provide for governance; to provide for a flat fee per parcel of land; to provide for election dates; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

SENATE BILL NO. 617—
BY SENATOR AMEDEE

AN ACT

To enact R.S. 33:4690.13, relative to Ascension Parish; to authorize the parish governing authority to create road infrastructure development districts; to provide relative to the authority of such districts to undertake new residential road projects and to finance them by levying taxes and assessments and incurring debt; to provide relative to taxes, assessments, and debt; to provide for general powers and duties of a district; to provide for an effective date; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**House and House Concurrent Resolutions
Reported by Committee**

The following House and House Concurrent Resolutions reported by committee were taken up and acted upon as follows:

HOUSE RESOLUTION NO. 44—
BY REPRESENTATIVE THIERRY

A RESOLUTION

To commend the town of Grand Coteau, Louisiana, for founding the Sweet Dough Pie Festival and to recognize the town as the Sweet Dough Pie Capital of the state.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the resolution was ordered engrossed and passed to its third reading.

HOUSE RESOLUTION NO. 71—
BY REPRESENTATIVE NORTON

A RESOLUTION

To urge and request the Department of Transportation and Development to study the implications and feasibility of adopting special signage to designate streets, highways, and bridges in honor of members of the United States Armed Services.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. St. Germain, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 10—
BY REPRESENTATIVE CONNICK

A CONCURRENT RESOLUTION

To approve the annual integrated coastal protection plan for Fiscal Year 2014-2015 as adopted by the Coastal Protection and Restoration Authority.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. St. Germain, the resolution was ordered passed to its third reading.

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HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE GUINN

A CONCURRENT RESOLUTION

To designate the community of Thornwell in Jefferson Davis Parish as the Yellow Rail Capital of the World and to recognize the Yellow Rails and Rice Festival held in Thornwell, Louisiana.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE HODGES AND SENATOR WHITE

A CONCURRENT RESOLUTION

To create the Comite River Diversion Canal Project Task Force to study and make recommendations on actions necessary to complete the construction of the Comite River Diversion Project.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Concurrent Resolution No. 51 by Representative Hodges

AMENDMENT NO. 1

On page 2, line 8, after "House" delete "within" and after "district" insert "is directly impacted by"

AMENDMENT NO. 2

On page 2, at the beginning of line 9, delete "is located"

AMENDMENT NO. 3

On page 2, line 11, after "Senate" delete "within" and after "district" insert "is directly impacted by" and after "Project" delete "is located"

AMENDMENT NO. 4

On page 3, between lines 4 and 5, insert the following:

(13) One member shall be a landowner in the area impacted by the Comite River Diversion Canal Project appointed by the Louisiana Landowners Association.

AMENDMENT NO. 5

On page 3, line 10, after "Works" insert "staff"

On motion of Rep. St. Germain, the amendments were adopted.

On motion of Rep. St. Germain, the above resolution, as amended, was ordered engrossed and recommitted to the Committee on House and Governmental Affairs.

House Bills and Joint Resolutions on Second Reading Reported by Committee

The following House Bills and Joint Resolutions on second reading reported by committee were taken up and acted upon as follows:

HOUSE BILL NO. 5—

BY REPRESENTATIVE PEARSON

AN ACT

To amend and reenact R.S. 11:1821(B) and (G), relative to the board of trustees of the Municipal Employees' Retirement System; to provide relative to the composition of the board with respect to elected members; to provide relative to service as an elected trustee; to provide restrictions relative to board composition; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 5 by Representative Pearson

AMENDMENT NO. 1

On page 1, line 4, between "elected members;" and "to provide" insert "to provide relative to service as an elected trustee;"

AMENDMENT NO. 2

On page 2, at the end of line 5, delete the period "." and insert ". or his designee."

AMENDMENT NO. 3

On page 2, between lines 20 and 21, insert the following:

"(3) A trustee elected pursuant to Paragraph (B)(1) or (2) of this Section may continue to serve his full term if he remains a member of the system regardless of change in employment which qualified him for such position."

AMENDMENT NO. 4

On page 2, at the beginning of line 21, change "(3)" to "(4)"

AMENDMENT NO. 5

On page 2, line 25, between "elected" and "however," delete the comma "," and insert in lieu thereof a semicolon ";"

AMENDMENT NO. 6

On page 2, line 26, delete "otherwise separates from membership," and insert in lieu thereof "ceases to be a member."

AMENDMENT NO. 7

On page 2, delete lines 28 and 29 in their entirety and delete page 3 in its entirety and insert in lieu thereof:

"Section 2. Elections to fill the trustee positions of members on the board shall be filled as follows:

(A) The trustees elected in 2016, 2017, and 2020 shall be elected pursuant to R.S. 11:1821(B)(1) as provided in this Act. Once an election for any such trustee position has been held in accordance with the provisions of this Act, subsequent vacancies in such position shall be filled in accordance with R.S. 11:1821(B)(1).

(B) The trustees elected in 2015, 2018, and 2019 shall be elected pursuant to R.S. 11:1821(B)(2) as provided in this Act. Once an election for any such trustee position has been held in accordance with the provisions of this Act, subsequent vacancies in such position shall be filled in accordance with R.S. 11:1821(B)(2).

(C) Vacancies in positions that have not yet had an election pursuant to the provisions of this Section may be filled by an elected or nonelected official.

(D) Notwithstanding any provision of law to the contrary, any vacancy filled after the effective date of this Act shall comply with R.S. 11:1821(G).

Section 3. This Act shall become effective on February 27, 2015."

On motion of Rep. Pearson, the amendments were adopted.

On motion of Rep. Pearson, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 23—

BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:1789.1(2), 1789.4(1), 1808.4(2), 1841(B), 1842, 1861, and 1862(B)(introductory paragraph) and to repeal R.S. 11:1787, 1807, 1862(D), and 1863, relative to the Municipal Employees' Retirement System; to provide relative to expenses of the system; to provide relative to funds of the system; to provide relative to employees first hired on or after January 1, 2013; to provide technical changes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Pearson, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 27—

BY REPRESENTATIVE ARNOLD
AN ACT

To amend and reenact R.S. 11:3385.1, relative to the Deferred Retirement Option Plan in the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide definitions; to provide relative to participation in the plan; to provide relative to benefits of the plan; to provide relative to beneficiaries of such benefits; to provide relative to accounting of plan benefits; to provide relative to distribution of benefits; to provide for appeals of determinations made under the plan provisions; to provide relative to the tax status of benefits; to provide relative to interest credits; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 27 by Representative Arnold

AMENDMENT NO. 1

On page 3, line 1, after "participation period," insert "the"

AMENDMENT NO. 2

On page 3, line 28, after "two percent" change the comma "," to a period "." and delete the remainder of the line in its entirety and insert in lieu thereof "The"

AMENDMENT NO. 3

On page 4, line 7, delete "and minus" and insert in lieu thereof "less"

AMENDMENT NO. 4

On page 4, delete line 8 in its entirety and insert in lieu thereof "established by the board of trustees, in any form of payment approved by the board of"

On motion of Rep. Pearson, the amendments were adopted.

On motion of Rep. Pearson, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 38—

BY REPRESENTATIVE PEARSON
AN ACT

To amend and reenact R.S. 11:441(A)(2)(b), 461(B)(3)(b), 726(B), 761(A)(3) and (4), 765(A) and (B)(1), 780, 783(A)(3)(a), 786(A)(2) and (3), 802, 1141(A), 1142, and 1147(C)(4) and to enact R.S. 11:441(A)(2)(c), 461(B)(3)(c), 761(A)(5), and 786(A)(4), relative to retirement eligibility for certain new hires in the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, and the Louisiana School Employees' Retirement System; to establish new retirement eligibility for certain members hired on or after July 1, 2014; to provide relative to disability retirements; to provide for technical corrections; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Pearson, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 39—

BY REPRESENTATIVE PEARSON
AN ACT

To enact R.S. 11:1456.1(E), relative to Back-Deferred Retirement Option Plan in the Louisiana Assessors' Retirement Fund; to provide relative to lump-sum distributions from such plan; to authorize transfers to a third-party provider; to provide relative to contracts to manage such funds; to provide relative to the rights, duties, and obligations of participants, providers, the fund, and the state; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Pearson, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 45—

BY REPRESENTATIVE SEABAUGH
AN ACT

To amend and reenact R.S. 11:411(8) and 701(33)(a)(iv), (v)(aa), (vii), and (x), relative to membership in state retirement systems; to prohibit membership by employees and officers of certain employers hired on or after a certain date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Retirement.

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The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Original House Bill No. 45 by Representative Seabaugh

AMENDMENT NO. 1

On page 1, line 2, after "amend and reenact" change "R.S. 11:701(33)(a)(iv)," to "R.S. 11:411(8) and 701(33)(a)(iv),"

AMENDMENT NO. 2

On page 1, line 3, after "employees" and before "of certain" insert "and officers"

AMENDMENT NO. 3

On page 1, line 9, after "Section 1." change "R.S. 11:701(33)(a)(iv)," to "R.S. 11:411(8) and 701(33)(a)(iv),"

AMENDMENT NO. 4

On page 1, between lines 10 and 11, insert the following:

"§411. Eligibility for membership

The membership of this system shall be as follows:

* * *

(8) Employees of any primary health center established under the Public Health Service Act as set forth in Subpart 1 of Part D of Subchapter II of Chapter 6A of Title 42 of the United States Code, hired by the primary health center prior to September 1, 2014, provided that any ~~such person covered by this Paragraph~~ who is eligible for membership in any other state or federal public retirement system based on employment with a primary health center shall not be eligible for membership in this system.

* * *

AMENDMENT NO. 5

On page 2, line 2, between "hired by the federation" and "prior to" insert "or elected"

AMENDMENT NO. 6

On page 2, line 5, between "hired by the association" and "prior to" insert "or elected"

On motion of Rep. Pearson, the amendments were adopted.

On motion of Rep. Pearson, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 47— BY REPRESENTATIVE HENRY BURNS

AN ACT

To amend and reenact R.S. 13:5554(Z)(introductory paragraph), (1), and (2) and 5554.1(G)(1), relative to the Bossier Parish Retired Employees' Insurance Fund; to provide for eligibility requirements for the payment of insurance premium costs for retired sheriffs and employees of the Bossier Parish Sheriff's Office; to provide for the creation of a board of trustees and its responsibilities; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

HOUSE BILL NO. 1263 (Substitute for House Bill No. 47 by Representative Henry Burns)— BY REPRESENTATIVE HENRY BURNS

AN ACT

To amend and reenact R.S. 13:5554(Z) and 5554.1(C)(2) and (G)(1)(introductory paragraph), relative to the payment of insurance premium costs; to provide for eligibility requirements for the payment of insurance premium costs for retired sheriffs and employees of the Bossier Parish Sheriff's Office; to provide for the investment of monies into the Bossier Parish Retired Employees Insurance Fund; to provide for the creation of a board of trustees and its responsibilities; and to provide for related matters.

Read by title.

On motion of Rep. Arnold, the substitute was adopted and became House Bill No. 1263 by Rep. Henry Burns, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 47 by Rep. Henry Burns.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 61— BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 13:5554.2(C)(2) and (G)(1)(a), relative to the Livingston Parish Retired Employees' Insurance Fund; to provide relative to the administration of the Livingston Parish Retired Employees' Insurance Fund; to provide for the investment of fund monies; to provide for members of the investment advisory board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Arnold, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 70— BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 46:1818, relative to the Crime Victims Reparations Act; to provide requirements for the annual report containing activities of the Crime Victims Reparations Board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Arnold, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 87— BY REPRESENTATIVE DANAHAY

AN ACT

To amend and reenact R.S. 11:1732(13) and (14) and to enact R.S. 11:1751(F), relative to the Municipal Employees' Retirement System; to provide relative to definitions for the system; to provide relative to contemporaneous employment by more than one participating employer; to provide relative to creditable service for such employment; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Retirement.

On motion of Rep. Pearson, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 96—

BY REPRESENTATIVE EDWARDS

A JOINT RESOLUTION

Proposing to amend Article V, Section 23 of the Constitution of Louisiana, relative to judges; to remove provisions that establish an age beyond which judges shall not remain in office; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Arnold, the above bill was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 149—

BY REPRESENTATIVE CHAMPAGNE

AN ACT

To enact R.S. 49:260, relative to the attorney general, to require the attorney general to submit reports on contracts; to provide for the form, frequency, recipients, and content of such reports; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 149 by Representative Champagne

AMENDMENT NO. 1

On page 1, line 7, change "Monthly" to "Quarterly"

AMENDMENT NO. 2

On page 1, at the end of line 9, change "monthly" to "quarterly"

AMENDMENT NO. 3

On page 1, line 16, change "month" to "quarter"

On motion of Rep. Arnold, the amendments were adopted.

On motion of Rep. Arnold, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 208—

BY REPRESENTATIVE HOFFMANN

AN ACT

To amend and reenact R.S. 14:91.6(A) and 91.8(A), (B), (C), (D), (E), (F)(1) and (2)(introductory paragraph) and (c), and (H) and R.S. 26:909(A)(3), 910(introductory paragraph) and (2), 910.1(A), and 911(A)(introductory paragraph) and (1), (2), and (3), and to enact R.S. 14:91.6(B)(6) and (7) and 91.8(G)(6) and (7) and R.S. 26:901(28) and (29), relative to alternative nicotine products; to prohibit the sale, purchase, or possession of alternative nicotine products by minors; to prohibit the placement of alternative nicotine products in vending machines in certain circumstances; to provide for definitions; to provide for the applicability of criminal penalties; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

HOUSE BILL NO. 1264 (Substitute for House Bill No. 208 by

Representative Hoffman)—

BY REPRESENTATIVE HOFFMANN

AN ACT

To amend and reenact R.S. 14:91.6(A) and 91.8(B), (C), (D), (E), (F)(1) and (2)(introductory paragraph) and (c), and (H), R.S. 26:901, 902(1), 905(B), 909(A)(2), 910, 910.1, 911(A)(introductory paragraph), (1) and (2), 917(A)(introductory paragraph) and (C), and 932(6), and R.S. 47:851(C)(2), and to enact R.S. 14:91.6(B)(6) and (7) and 91.8(G)(6) and (7), relative to alternative nicotine products and vapor products; to prohibit the sale or other distribution of alternative nicotine products and vapor pens to persons under the age of eighteen years; to provide relative to definitions; and to provide for related matters.

Read by title.

On motion of Rep. Arnold, the substitute was adopted and became House Bill No. 1264 by Rep. Hoffmann, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 208 by Rep. Hoffmann.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 237—

BY REPRESENTATIVE MACK

AN ACT

To repeal R.S. 13:2583(A)(2), relative to constables; to provide relative to qualifications; to remove the mandatory retirement age of constables; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Arnold, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 387—

BY REPRESENTATIVE HUVAL

AN ACT

To enact R.S. 16:516(E), relative to the payment of group insurance premium costs for certain district attorneys; to provide for eligibility for payment of such costs for retired district attorneys and assistant district attorneys for the Sixteenth Judicial District; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

Rep. Arnold moved the bill be ordered passed to its third reading.

As a substitute motion, Rep. Fannin moved that the bill otherwise be referred to the Committee on Appropriations, which motion was agreed to.

HOUSE BILL NO. 438—

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 40:1379.1(G), relative to special officer commissions; to provide for the issuance of a special officer commission to railroad police officers; to provide for the term of the commission; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Judiciary.

The substitute was read by title as follows:

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HOUSE BILL NO. 1265 (Substitute for House Bill No. 438 by Representative Greene)—
BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 40:1379.1.2, relative to special officer's commissions; to provide for the issuance of a special officer commission to railroad police officers; to provide for the conditions relative to the term and effect of the commission; and to provide for related matters.

Read by title.

On motion of Rep. Arnold, the substitute was adopted and became House Bill No. 1265 by Rep. Greene, on behalf of the Committee on Judiciary, as a substitute for House Bill No. 438 by Rep. Greene.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 457—
BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 33:4720.171(F)(1) and (G), relative to Lafayette Parish; to provide relative to the North Lafayette Redevelopment Authority; to provide relative to the boundaries of the authority; to provide relative to the governing board of the authority; to change the membership of the governing board; to provide relative to the terms and qualifications of board members and their powers and duties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 495—
BY REPRESENTATIVE ADAMS

AN ACT

To amend and reenact R.S. 40:1563.1(A), relative to the authority of certain officials to conduct investigations and make arrests; to add simple arson of a religious building to the list of offenses for which a fire marshal and other officials may conduct investigations and make arrests; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Ponti, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 503—
BY REPRESENTATIVE CARMODY

AN ACT

To enact R.S. 49:170.19, relative to the official state book; to provide that the Holy Bible shall be the official state book; to recognize and acknowledge the state motto; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 503 by Representative Carmody

AMENDMENT NO. 1

On page 1, line 2, after "to provide" and before "Holy Bible" delete "a certain" and insert "that the"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "to" and insert "shall"

AMENDMENT NO. 3

On page 1, line 7, after "§170.19." delete the remainder of the line and insert "Official state book; Holy Bible; recognition and acknowledgment of state motto"

AMENDMENT NO. 4

On page 1, delete lines 12 through 15 in their entirety and insert "Holy Bible."

On motion of Rep. Badon, the amendments were adopted.

On motion of Rep. Badon, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 539—
BY REPRESENTATIVE STOKES
AN ACT

To amend and reenact R.S. 6:966.1(A)(introductory paragraph), (B), and (C), and to enact R.S. 6:966.1(E) relative to default remedies; to amend the time delay for submission of a notice of repossession; to provide for the methods of submission of the notice; to provide for proof of the notice; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 539 by Representative Stokes

AMENDMENT NO. 1

On page 1, line 2, after the comma ",", and before "relative" insert "and to enact R.S. 6:966.4(E)"

AMENDMENT NO. 2

On page 1, line 8, after "reenacted" and before "to" insert "and R.S. 6:966.1(E) is hereby enacted"

AMENDMENT NO. 3

On page 1, at the beginning of line 9, insert "§"

AMENDMENT NO. 4

On page 2, after line 9, insert the following:

"E. If the "Notice of Repossession" is sent by mail pursuant to the provisions of this Section, the secured party shall retain evidence of proof of receipt by the recipient in order to prove timely delivery."

On motion of Rep. Arnold, the amendments were adopted.

On motion of Rep. Arnold, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 553—

BY REPRESENTATIVE HAVARD

AN ACT

To amend and reenact R.S. 28:54(D)(2), relative to judicial commitment fees; to increase the maximum court costs for judicial commitment procedures when the costs are paid from funds appropriated to the judiciary; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Arnold, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 568—

BY REPRESENTATIVE ST. GERMAIN

AN ACT

To enact R.S. 33:1981.1 and 2201(B)(22), relative to financial benefits for surviving spouses and children of fire operation personnel; to provide for financial security for surviving spouses and children of enforcement and emergency service personnel of the office of the state fire marshal; to provide for financial security for surviving spouses and children of firemen upon death by heart attack or stroke; to create a presumption; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 575—

BY REPRESENTATIVE ARNOLD

AN ACT

To amend and reenact R.S. 13:5951(I)(4), relative to the Orleans Parish Juvenile Services Financing District; to provide with respect to taxes levied for the district and the duration of such levy; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 584—

BY REPRESENTATIVE PUGH

AN ACT

To enact R.S. 33:4712.16, relative to Tangipahoa Parish; to authorize the governing authority of the parish of Tangipahoa to name a building in honor of a living person; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 637—

BY REPRESENTATIVE CONNICK

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(F)(3)(c) and (d) and to enact Code of Criminal Procedure Article 895.1(F)(3)(e), relative to fees paid as a condition of probation; to provide relative to the use of monies credited to the Sex Offender Registry Technology Fund; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Arnold, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 768—

BY REPRESENTATIVES PRICE AND SMITH

AN ACT

To amend and reenact R.S. 33:1, relative to the incorporation of municipalities; to provide relative to the process of petitioning for incorporation; to provide relative to the time petitioners have to obtain signatures for incorporation; to provide for approval of petitions by the secretary of state; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 770—

BY REPRESENTATIVE PRICE

AN ACT

To amend and reenact R.S. 32:781(5) and (13)(a)(i), to enact R.S. 32:792(B)(17) and 796, and to repeal R.S. 32:792(B)(1)(d) and 795, relative to used motor vehicle dealers; to amend the definitions of motor vehicle and used motor vehicle dealer; to provide relative to false, misleading, or unsubstantiated advertising in connection with a used motor vehicle dealer business; to provide relative to the deposit and down payment disclosure and delivery pending a sale by a used motor vehicle dealer; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 770 by Representative Price

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 32:781(13)(a)(i)" and insert in lieu thereof "R.S. 32:781(5) and (13)(a)(i)"

AMENDMENT NO. 2

On page 1, line 2, delete "R.S. 32:796" and insert in lieu thereof "R.S. 32:792(B)(17) and 796"

AMENDMENT NO. 3

On page 1, line 3, after "repeal" delete "R.S. 32:795" and insert "R.S. 32:792(B)(1)(d) and 795"

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AMENDMENT NO. 4

On page 1, line 3, at the end of the line, change "definition" to "definitions"

AMENDMENT NO. 5

On page 1, line 4, after "of" delete ""used motor vehicle"" and insert "motor vehicle and used motor vehicle dealer"

AMENDMENT NO. 6

On page 1, line 4, delete "for a nonexclusive listing of" and insert in lieu thereof "relative to"

AMENDMENT NO. 7

On page 1, line 5, after "with" delete "his" and insert in lieu thereof "a" and at the end of the line change "dealers" to "dealer"

AMENDMENT NO. 8

On page 1, line 9, after "Section 1," delete "R.S. 32:781(13)(a)(i)" and insert in lieu thereof "R.S. 32:781(5) and (13)(a)(i)"

AMENDMENT NO. 9

On page 1, line 10, after "and" delete "R.S. 32:796 is" and insert "R.S. 32:792(B)(17) and 796 are"

AMENDMENT NO. 10

On page 1, between lines 12 and 13, insert the following:

** * *

(5) "Motor vehicle" means any motor-driven car, van, or truck required to be registered pursuant to the Vehicle Registration License Tax Law, R.S. 47:451 et seq., or any vehicle manufactured for off-road use and issued a manufacturer's statement or certificate of origin, as required by the Louisiana Motor Vehicle Commission, that cannot be issued a registration certificate and license to operate on the public roads of this state because, at the time of manufacture, the vehicle does not meet the safety requirements prescribed by R.S. 32:1301 through 1310 which is used or is designed to be used, for the transporting of passengers or goods for public, private, commercial, or for-hire purposes and; including but not limited to motor homes, motorcycles, all-terrain vehicles, recreational vehicles, travel trailers, boat trailers, ambulances, buses, fire trucks, conversion vehicles, wreckers, semitrailers, hearses, and marine products, as any of the terms are defined in R.S. 32:1252.

AMENDMENT NO. 11

On page 2, delete lines 18, 19 and 21 through 29 in their entirety and on page 3, delete lines 1 through 13 in their entirety and insert the following:

"(17) Use of false, misleading or unsubstantiated advertising in connection with his business. For the purpose of this Paragraph, false, misleading and unsubstantiated advertising in connection with the sale of a used motor vehicle shall include but not be limited to the following:

(a) Making unsubstantiated claims regarding the dealership, such as being the "largest" or "biggest" dealer, or being the "number one dealer" in an area.

(b) Advertising that notes will not have to be paid by the customer for a certain period of time, unless the dealer can substantiate the delay in payment and unless the delay is offered to all customers without restriction or limitation.

(c) Advertising a loan interest rate without including all restrictions or limitations in the same size lettering.

(d) Advertising guaranteed credit approval without including all restrictions or limitations and any required credit rating in the same size lettering.

(e) Advertising a monthly note without restriction or limitation and without reference to an approved credit rating in the same size lettering.

(f) Advertising a guaranteed amount for trade-ins.

(g) Advertising a price other than the full cash price for which the vehicle will be sold, except for tax, title and license which must be referenced.

(h) Advertising a price without providing a complete and accurate description of the vehicle, including make, model and model year and any identification and serial number of the vehicle.

(i) Performing a "bait and switch" in which the dealer does not have the vehicle advertised for sale and has not had the vehicle within a reasonable time from the advertisement."

AMENDMENT NO. 12

On page 3, at the end of line 17, delete "potential" and at the beginning of line 18, delete "purchaser" and insert in lieu thereof "customer"

AMENDMENT NO. 13

On page 3, line 18, after "which the" change "purchaser" to "customer"

AMENDMENT NO. 14

On page 3, at the end of line 23, delete "potential" and at the beginning of line 24, delete "purchaser" and insert in lieu thereof "customer"

AMENDMENT NO. 15

On page 3, line 24, after "which the" change "purchaser" to "customer"

AMENDMENT NO. 16

On page 4, at the end of line 1, delete "potential" and at the beginning of line 2, delete "purchaser" and insert in lieu thereof "customer"

AMENDMENT NO. 17

On page 4, line 2, after "which the" change "purchaser" to "customer"

AMENDMENT NO. 18

On page 4, at the end of line 3, insert "abide by the following provisions and shall"

AMENDMENT NO. 19

On page 4, line 8, after "(3)" delete the remainder of the line and insert "Clear statements that:"

AMENDMENT NO. 20

On page 4, line 11, after "dealer" delete "who" and after "withdraw" insert "from the transaction"

AMENDMENT NO. 21

On page 4, line 12, at the beginning of the line, change "must" to "shall"

AMENDMENT NO. 22

On page 4, line 16, delete "potential purchaser" and insert in lieu thereof "customer"

AMENDMENT NO. 23

On page 4, line 17, after "insurance" insert a comma "," and "if the customer failed to provide accurate or complete information necessary to obtain financing or insurance or regarding the customer's ability to obtain credit or insurance," and after "treated" delete "as"

AMENDMENT NO. 24

On page 4, line 22, at the end of the line, delete "of the motor vehicle"

AMENDMENT NO. 25

On page 4, delete lines 23 through 25 in their entirety and insert the following:

"(6) The price of the vehicle and a description of the vehicle including the make, model, year, identification and serial number and its condition.

"(7) The amount of the trade-in allowance and a description of the trade-in vehicle including the make, model, year, identification and serial number and its condition."

AMENDMENT NO. 26

On page 5, line 23, delete "R.S. 32:795 is" and insert in lieu thereof "R.S. 32:792(B)(1)(d) and 795 are"

On motion of Rep. Ponti, the amendments were adopted.

On motion of Rep. Ponti, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 772—

BY REPRESENTATIVE ROBIDEAUX
AN ACT

To enact R.S. 13:5554(DD), relative to the premium costs of group insurance for retired sheriffs and employees of Lafayette Parish Sheriff's Office; to provide for eligibility for payment of premium costs; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Arnold, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 787—

BY REPRESENTATIVES ARNOLD, ABRAMSON, ADAMS, BADON, BILLIOT, WESLEY BISHOP, GAROFALO, HENRY, JOHNSON, LEOPOLD, LOPINTO, LORUSSO, MORENO, STOKES, TALBOT, AND WILLMOTT

AN ACT

To amend and reenact R.S. 43:142(B), 171(B), 200(3), and 201(D), to enact R.S. 43:202(D), and to repeal R.S. 43:201(E), relative to the publication of official proceedings, legal notices, and advertisements in Jefferson and Orleans parishes; to provide relative to qualifications of newspapers for such publication; to

provide for definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Original House Bill No. 787 by Representative Arnold

AMENDMENT NO. 1

On page 1, line 5, after "definitions;" insert "to provide for an effective date;"

AMENDMENT NO. 2

On page 3, line 9, after "(b)" delete "The" and insert "For purposes of qualifications for publishing official proceedings, legal notices, or advertisements in the parishes of Jefferson and Orleans, the"

AMENDMENT NO. 3

On page 4, after line 10, insert the following:

"Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Rep. Badon, the amendments were adopted.

On motion of Rep. Badon, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 837—

BY REPRESENTATIVE HAVARD

AN ACT

To amend and reenact R.S. 33:2345(B), relative to municipal chiefs of police; to provide for training requirements for each municipal chief of police; to change the training hours required relative to continuing education; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 837 by Representative Havard

AMENDMENT NO. 1

On page 1, at the end of line 11, delete "twelve-month period." and insert "calendar year."

On motion of Rep. Arnold, the amendments were adopted.

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On motion of Rep. Arnold, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 838—

BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 37:3407(A)(7) and to enact R.S. 37:3407(A)(11), relative to fees charged by the Louisiana Real Estate Appraisers Board; to provide changes to fees charged by the Louisiana Real Estate Appraisers Board; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Commerce.

On motion of Rep. Ponti, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 894—

BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 37:3394(B) and (H), relative to the Louisiana Real Estate Appraisers Board; to provide for membership requirements and qualifications; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 894 by Representative Hoffmann

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 37:3394(B)(1)" to "R.S. 37:3394(B) and (H)"

AMENDMENT NO. 2

On page 1, line 6, change "R.S. 37:3394(B)(1) is" to "R.S. 37:3394(B) and (H) are"

AMENDMENT NO. 3

On page 1, line 9, after "B.(1)" delete "Nine" and insert "The"

AMENDMENT NO. 4

On page 1, line 10, delete "the remainder" and insert "with four members"

AMENDMENT NO. 5

On page 1, line 11, delete "nine"

AMENDMENT NO. 6

On page 1, line 12, after "(a)" delete "One" and insert "Two" and after "list of" delete "three" and insert "five"

AMENDMENT NO. 7

On page 1, line 15, after "(b)" delete the remainder of the line and delete lines 16 and 17 and insert the following:

"One member shall have been engaged in the business of appraisal management for at least three years and shall be an employee or

representative of a Louisiana licensed appraisal management company. Additionally, this member shall be a citizen and qualified elector of Louisiana and licensed as a Louisiana certified real estate appraiser immediately preceding the appointment to the board."

AMENDMENT NO. 8

On page 1, delete lines 18 through 20 in their entirety

AMENDMENT NO. 9

On page 2, delete lines 1 through 3 in their entirety and in lieu thereof insert the following:

"(c) The remainder shall have been Louisiana residents engaged in the general practice of real estate appraising in the state of Louisiana for not less than five years immediately preceding their appointment. The remainder shall have been domiciled in Louisiana and licensed as certified real estate appraisers for not less than five years immediately preceding the appointment."

(2) At least four of the ~~nine~~ members shall be general appraisers and at least two of the ~~nine~~ members shall be residential appraisers. All appraiser members shall be state certified.

* * *

H. ~~Five~~ Six members of the board shall constitute a quorum for all business."

On motion of Rep. Ponti, the amendments were adopted.

On motion of Rep. Ponti, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 915—

BY REPRESENTATIVE ALFRED WILLIAMS
AN ACT

To enact R.S. 13:1000.10, 1415, 2071.1, 2488.40, and 2488.41, relative to collection of fees in all East Baton Rouge Parish courts; to authorize all courts in East Baton Rouge Parish to levy a warrant recall fee to fund a misdemeanor detention facility; to provide for the collection of the fee and expenditure of funds collected; to provide reporting requirements; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Original House Bill No. 915 by Representative Alfred Williams

AMENDMENT NO. 1

On page 1, line 2, after "2071.1," and before "relative" delete "and 2488.40" and insert "2488.40, and 2488.41"

AMENDMENT NO. 2

On page 1, line 8, after "2071.1," and before "are" delete "and 2488.40" and insert "2488.40, and 2488.41"

AMENDMENT NO. 3

On page 5, after line 17, insert the following:

"§2488.41. Zachary City Court; additional warrant recall fees; Misdemeanor Detention Fund

A. The Zachary City Court is hereby authorized to levy and impose a warrant recall fee of fifty dollars on all persons who fail to appear as ordered on all misdemeanor offenses and traffic offenses where a warrant for arrest is issued, the proceeds of which shall be used to pay the expenses of operating a misdemeanor detention facility in the parish.

B. The clerk of court shall place all sums collected or received pursuant to this Section with the finance director for the parish of East Baton Rouge, who shall place the funds in a separate account to be designated as the Misdemeanor Detention Fund. All monies in this account shall be used solely for the purpose of paying expenses associated with the operation of a misdemeanor detention facility in the parish. The finance director shall cause to be conducted annually an audit of the fund and the books and accounts relating thereto, and shall file the same with the office of the legislative auditor, where it shall be available for public inspection.

C. All law enforcement agencies within the parish shall confer for the purpose of creating and implementing additional pilot programs for the periodic targeted enforcement of outstanding warrants until sufficient revenues are generated to sustain the permanent operation of the misdemeanor detention facility.

D. The mayor-president for the parish of East Baton Rouge shall be authorized to expend funds and enter into cooperative endeavor agreements with all courts, the sheriff of East Baton Rouge Parish, and all other law enforcement agencies within the parish in order to carry out the provisions of this Section, subject to the approval of the Metropolitan Council of East Baton Rouge Parish.

E. The mayor-president through the finance department shall report quarterly to the Metropolitan Council and the courts within the parish on the matters set forth in this Section, including recommendations regarding necessary adjustments and the financial feasibility of the misdemeanor warrant enforcement programs."

On motion of Rep. Arnold, the amendments were adopted.

On motion of Rep. Arnold, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 950—
BY REPRESENTATIVE ALFRED WILLIAMS
AN ACT

To amend and reenact R.S. 33:9097.20(B) and (F)(1) and (2) and to repeal R.S. 33:9097.20(F)(3), relative to the Goodwood Homesites Crime Prevention and Neighborhood Improvement District; to provide relative to the boundaries of the district; to provide a reduced parcel fee for certain parcels; to provide for the maximum parcel fee the district may levy and collect; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 955—
BY REPRESENTATIVE LEGER
AN ACT

To enact R.S. 48:236, relative to transit authorities; to provide for training for certain members of board or commissions of regional transit authorities; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Municipal, Parochial and Cultural Affairs.

The substitute was read by title as follows:

HOUSE BILL NO. 1266 (Substitute for House Bill No. 955 by Representative Leger)—
BY REPRESENTATIVE LEGER
AN ACT

To enact Chapter 11 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:1501, relative to regional public transportation; to provide relative to the governing boards of regional transit entities; to require the members of such boards to complete certain training requirements; to provide for responsibilities of the staff of regional planning commissions with respect to such training; to provide for effectiveness; and to provide for related matters.

Read by title.

On motion of Rep. Badon, the substitute was adopted and became House Bill No. 1266 by Rep. Leger, on behalf of the Committee on Municipal, Parochial and Cultural Affairs, as a substitute for House Bill No. 955 by Rep. Leger.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 981—
BY REPRESENTATIVE GAINES
AN ACT

To enact R.S. 47:337.10.1, relative to the parish of St. John the Baptist; to provide relative to political subdivisions within the parish; to provide relative to the sales and use taxes levied by the political subdivisions; to authorize the governing authority of the parish and of any such political subdivision to establish sales tax holidays; to authorize the governing authorities to exempt purchases of tangible personal property from sales and use taxes during any such holiday; to provide limitations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 989—
BY REPRESENTATIVE JOHNSON
AN ACT

To repeal R.S. 13:2582(A)(2), relative to justices of the peace; to provide relative to qualifications; to remove the mandatory retirement age of justices of the peace; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

On motion of Rep. Arnold, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 1018—
BY REPRESENTATIVE HOFFMANN
AN ACT

To amend and reenact R.S. 37:3396(B), (D), and (F)(2), 3397(B)(1), (3)(introductory paragraph) and (d) through (f), (4), and (5), 3398(A), 3401(B), (C)(introductory paragraph) and (3), 3408(B), (C)(2), and (E), and 3410, to enact R.S. 37:3392(13), 3397.1, and 3409(E)(4), and to repeal R.S. 37:3397(B)(6), (C), and (D), 3398(D), and 3401(D), relative to the Louisiana Real Estate Appraisers Law; to provide for board terms; to provide

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relative to license qualifications; to provide relative to criteria for license classifications and continuing education requirements; to provide relative to examinations; to provide relative to nonresident licenses; to provide relative to disciplinary proceedings; to provide for standards for the development and communication of real estate appraisers; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1018 by Representative Hoffmann

AMENDMENT NO. 1

On page 1, line 2, after "Reenact" delete the remainder of the line and insert in lieu thereof: "R.S. 37:3396(B), (D), and (F)(2), 3397(B)(1),"

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "and" and insert in lieu thereof a comma ","

AMENDMENT NO. 3

On page 1, at the beginning of line 4, change "(C)(3)" to "(C)(introductory paragraph) and (3)"

AMENDMENT NO. 4

On page 1, line 4, after "3410," and before "to enact" delete "and"

AMENDMENT NO. 5

On page 1, line 7, after "to" and before "license qualifications;" change "apply for" to "provide relative to"

AMENDMENT NO. 6

On page 1, line 13, after "Section 1." delete the remainder of the line and insert in lieu thereof: "R.S. 37:3396(B), (D), and (F)(2), 3397(B)(1), (3)(introductory)"

AMENDMENT NO. 7

On page 1, line 14, change "3401(B) and (C)(3)" to "3401(B), (C)(introductory paragraph) and (3)"

AMENDMENT NO. 8

On page 1, at the end of line 14, insert a comma "," and "and (E),"

AMENDMENT NO. 9

On page 2, delete lines 5 through 15

AMENDMENT NO. 10

On page 2, line 21, after "who" insert "have"

AMENDMENT NO. 11

On page 2, line 26, change "Appraisal" to "Appraiser"

AMENDMENT NO. 12

On page 2, line 28, change "subsuqent" to "subsequent"

AMENDMENT NO. 13

On page 3, delete lines 21 through 24 in their entirety and insert the following:

"B. (1)(a) Applicants for a real estate appraiser trainee license shall be subject to the following training and direct supervision by a certified appraiser who meets all of the following qualifications:

(i) Has been licensed as a certified real estate appraiser for at least three years prior to becoming a supervising appraiser.

(ii) Is in good standing as a certified residential or certified general real estate appraiser."

AMENDMENT NO. 14

On page 5, delete lines 10 through 13 and insert the following:

"§3397.1. Certified residential and certified general appraisers; continuing education

As a prerequisite to license renewal, all certified residential and certified general appraisers shall be required to complete the equivalent of fourteen hours of continuing education instruction per calendar year."

AMENDMENT NO. 15

On page 5, line 18, change "Appraser" to "Appraiser"

AMENDMENT NO. 16

On page 6, delete line 23 in its entirety

AMENDMENT NO. 17

On page 8, line 17, after "repealed" and before the period "." insert "in their entirety"

On motion of Rep. Ponti, the amendments were adopted.

On motion of Rep. Ponti, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 1086—

BY REPRESENTATIVE BARRAS

AN ACT

To amend and reenact R.S. 33:9022(5), relative to nonprofit economic development corporations; to provide with respect to definitions; to authorize economic development districts and authorities to authorize creation of nonprofit economic development corporations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 1091—

BY REPRESENTATIVE WILLMOTT

AN ACT

To enact R.S. 32:284.1, relative to the transportation of dogs; to prohibit the transportation of dogs in pickup truck beds on certain roadways; to provide exceptions; to provide for

penalties; to provide definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. St. Germain, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 1109—
BY REPRESENTATIVE POPE

AN ACT

To amend and reenact R.S. 33:104, relative to planning commissions; to provide relative to commissions located in certain municipalities; to provide relative to monthly meetings of commissions; to provide relative to cancellations of such meetings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

On motion of Rep. Badon, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 1112—
BY REPRESENTATIVE MACK

AN ACT

To enact R.S. 47:463.165, relative to motor vehicle special prestige license plates; to provide for the "National Rifle Association" special prestige license plate; to provide for the creation, issuance, and design of such license plates; to provide relative to the fee and distribution of fees for such plates; to authorize the promulgation of rules and regulations relative to the creation and implementation of a special prestige license plate; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. St. Germain, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 1127—
BY REPRESENTATIVE LOPINTO

AN ACT

To amend and reenact R.S. 32:361.2(D), relative to medical exemptions applicable to operating a motor vehicle; to provide that the medical exemption shall apply to the top area of a motor vehicle windshield with the required medical authorization; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways, and Public Works to Original House Bill No. 1127 by Representative Lopinto

AMENDMENT NO. 1

On page 1, line 13, after "Section" and before the period "." insert "for a patient who is diagnosed with a light sensitive porphyria"

On motion of Rep. St. Germain, the amendments were adopted.

On motion of Rep. St. Germain, the bill, as amended, was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 1140—
BY REPRESENTATIVE GAINES
AN ACT

To rename a portion of Louisiana Highway 3179 in St. John Parish as "Martin Luther King, Jr. Boulevard"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. St. Germain, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 1150—
BY REPRESENTATIVES LORUSSO, BROWN, FRANKLIN, GISCLAIR, HILL, HODGES, HONORE, HOWARD, TERRY LANDRY, LEBAS, LEOPOLD, LOPINTO, PYLANT, AND RICHARD
AN ACT

To enact R.S. 47:490.26, relative to military honor license plates; to provide for the establishment of a military honor license plate for military service during the Cold War; to require the secretary to promulgate rules and regulations relative to the creation and implementation of this military honor license plate; to provide for the creation, issuance, and design of such plates; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. St. Germain, the bill was ordered engrossed and passed to its third reading.

HOUSE BILL NO. 1234—
BY REPRESENTATIVE PONTI
AN ACT

To amend and reenact R.S. 51:709(5)(a)(introductory paragraph) and (ii) and to enact R.S. 51:705(H), relative to the registration of securities; to remove the exemption from registration under the Louisiana Securities Law, relative to Regulation A securities of the Federal Securities Act of 1933; to require registration under the Louisiana Securities Law of Regulation A securities of the Federal Securities Act of 1933; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1234 by Representative Ponti

AMENDMENT NO. 1

On page 2, line 8, after "dollars" delete the comma "," and "and in addition" and insert a period "." and "In addition"

On motion of Rep. Ponti, the amendments were adopted.

On motion of Rep. Ponti, the bill, as amended, was ordered engrossed and passed to its third reading.

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HOUSE BILL NO. 1238—

BY REPRESENTATIVE MORENO

AN ACT

To amend and reenact R.S. 47:469.1(A), relative to special prestige license plates; to authorize the issuance of a special "For Hire" plate to owners and operators of certain vehicles; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. St. Germain, the bill was ordered engrossed and passed to its third reading.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 13—

BY REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To approve the Atchafalaya Basin Annual Plan for Fiscal Year 2014-2015, as adopted by the Atchafalaya Basin Research and Promotion Board and the Coastal Protection and Restoration Authority.

Read by title.

Rep. St. Germain moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Mack
Abramson	Geymann	Miller
Adams	Greene	Montoucet
Anders	Guillory	Moreno
Armes	Guinn	Morris, Jay
Arnold	Harris	Norton
Badon	Harrison	Ortego
Barras	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hensgens	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hodges	Pugh
Broadwater	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Richard
Burns, H.	Howard	Schexnayder
Burrell	Hunter	Schroder
Carmody	Huval	Shadoin
Carter	Ivey	Simon
Champagne	Jackson	Smith
Chaney	James	St. Germain
Connick	Jefferson	Stokes
Cox	Johnson	Talbot
Danahay	Jones	Thibaut
Dixon	Lambert	Thierry
Dove	Landry, N.	Thompson
Edwards	Landry, T.	Whitney
Fannin	LeBas	Williams, A.
Foil	Leger	Williams, P.
Franklin	Lopinto	Willmott

Gaines
Total - 96

Lorusso

Woodruff

NAYS

Total - 0

ABSENT

Brossett
Burns, T.
Cromer
Total - 9

Gisclair
Leopold
Morris, Jim

Ritchie
Robideaux
Seabaugh

The resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVE CHAMPAGNE

A CONCURRENT RESOLUTION

To urge and request the Coastal Protection and Restoration Authority to create a body composed of officials from coastal parishes, employees or board members of the Coastal Protection and Restoration Authority, and other members that may be necessary for the purpose of facilitating the development of the coastal parishes' land use plans.

Read by title.

Rep. Champagne moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Lopinto
Abramson	Garofalo	Lorusso
Adams	Geymann	Mack
Anders	Gisclair	Miller
Armes	Greene	Montoucet
Arnold	Guillory	Moreno
Badon	Guinn	Morris, Jay
Barras	Harris	Morris, Jim
Barrow	Harrison	Norton
Berthelot	Havard	Ortego
Billiot	Hazel	Pierre
Bishop, S.	Henry	Ponti
Bishop, W.	Hensgens	Pope
Broadwater	Hill	Price
Brossett	Hodges	Pylant
Brown	Hoffmann	Reynolds
Burford	Hollis	Richard
Burns, H.	Honore	Ritchie
Burns, T.	Howard	Schexnayder
Burrell	Hunter	Schroder
Carmody	Huval	Shadoin
Carter	Ivey	Smith
Champagne	Jackson	St. Germain
Chaney	James	Stokes
Connick	Jefferson	Thibaut
Cox	Johnson	Thierry
Cromer	Jones	Thompson
Danahay	Lambert	Whitney
Dove	Landry, N.	Williams, A.
Edwards	Landry, T.	Williams, P.
Fannin	LeBas	Willmott
Foil	Leger	Woodruff
Franklin	Leopold	
Total - 98		

NAYS

Total - 0

ABSENT

Dixon	Robideaux	Talbot
Pearson	Seabaugh	
Pugh	Simon	
Total - 7		

The resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE CHAMPAGNE

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary for the proper allocation of resources on the federal, state, and local level to fund real-time audit practices in developing, planning, constructing, and executing projects funded by the RESTORE Act's Gulf Coast Restoration Trust Fund to ensure proper expenditures and the restoration of the Gulf Coast for the benefit of all the citizens of the United States.

Read by title.

Rep. Champagne moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gisclair	Mack
Abramson	Greene	Miller
Adams	Guillory	Montoucet
Anders	Guinn	Moreno
Arnold	Harris	Morris, Jay
Badon	Harrison	Morris, Jim
Barrow	Havard	Norton
Berthelot	Hazel	Ortego
Billiot	Henry	Pierre
Bishop, S.	Hensgens	Ponti
Bishop, W.	Hill	Pope
Broadwater	Hodges	Price
Brossett	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Richard
Burns, H.	Howard	Ritchie
Burns, T.	Hunter	Schexnayder
Burrell	Huval	Schroder
Carmody	Ivey	Shadoin
Carter	Jackson	Smith
Champagne	James	St. Germain
Chaney	Jefferson	Stokes
Connick	Johnson	Talbot
Cox	Jones	Thibaut
Danahay	Lambert	Thierry
Edwards	Landry, N.	Thompson
Fannin	Landry, T.	Whitney
Foil	LeBas	Williams, A.
Franklin	Leger	Williams, P.
Gaines	Leopold	Willmott
Garofalo	Lopinto	Woodruff
Geymann	Lorusso	
Total - 94		

NAYS

Total - 0

ABSENT

Armes	Dove	Seabaugh
-------	------	----------

Barras	Pearson	Simon
Cromer	Pugh	Talbot
Dixon	Robideaux	
Total - 11		

The resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE ST. GERMAIN

A CONCURRENT RESOLUTION

To urge and request the office of conservation to study the effect of implementing certain requirements for operators of salt dome caverns.

Read by title.

Rep. St. Germain moved the adoption of the resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Miller
Abramson	Geymann	Montoucet
Adams	Gisclair	Moreno
Anders	Guillory	Morris, Jay
Armes	Guinn	Morris, Jim
Arnold	Harris	Norton
Badon	Harrison	Ortego
Barras	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hensgens	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hodges	Pylant
Broadwater	Hoffmann	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Schexnayder
Burns, H.	Hunter	Schroder
Burns, T.	Huval	Shadoin
Burrell	Ivey	Smith
Carter	James	St. Germain
Champagne	Jefferson	Stokes
Chaney	Johnson	Talbot
Connick	Jones	Thibaut
Cox	Lambert	Thierry
Danahay	Landry, N.	Thompson
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Edwards	Leger	Williams, P.
Fannin	Leopold	Willmott
Foil	Lopinto	Woodruff
Franklin	Lorusso	
Gaines	Mack	
Total - 97		

NAYS

Total - 0

ABSENT

Carmody	Jackson	Seabaugh
Cromer	Pugh	Simon
Greene	Robideaux	
Total - 8		

The resolution was adopted.

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Ordered to the Senate.

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 285—

BY REPRESENTATIVE ST. GERMAIN
AN ACT

To amend and reenact R.S. 32:431.1(E)(3), relative to school attendance as condition of driving privileges; to provide for the length of time documentation of school attendance remains valid; and to provide for related matters.

Read by title.

Rep. St. Germain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Gisclair	Montoucet
Anders	Guillory	Moreno
Arnes	Guinn	Morris, Jay
Arnold	Harris	Morris, Jim
Badon	Harrison	Norton
Barras	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hensgens	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hodges	Pylant
Broadwater	Hoffmann	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Schexnayder
Burns, H.	Hunter	Schroder
Burns, T.	Huval	Shadoin
Burrell	Ivey	Smith
Carmody	Jackson	St. Germain
Carter	James	Stokes
Champagne	Jefferson	Talbot
Chaney	Johnson	Thibaut
Connick	Jones	Thierry
Cox	Lambert	Thompson
Danahay	Landry, N.	Whitney
Dixon	Landry, T.	Williams, A.
Dove	LeBas	Williams, P.
Edwards	Leger	Willmott
Fannin	Leopold	Woodruff
Foil	Lopinto	
Franklin	Lorusso	
Total - 97		

NAYS

Total - 0

ABSENT

Cromer	Ortego	Seabaugh
Geymann	Pugh	Simon
Greene	Robideaux	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. St. Germain moved to reconsider the vote by which the above bill was finally passed, and, on her own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 464—

BY REPRESENTATIVES BROADWATER AND PUGH
AN ACT

To enact R.S. 46:311 through 318, relative to the Supplemental Nutrition Assistance Program; to create and provide for a pilot initiative for training and education to serve certain nutrition assistance recipients; to provide for duties of participants in the pilot initiative and of the Department of Children and Family Services; to provide for redesignation of laws; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 464 by Representative Broadwater

AMENDMENT NO. 1

On page 3, line 12, change "supports" to "support"

AMENDMENT NO. 2

On page 4, line 29, following "(GED)" and before "¿" change "diploma" to "certificate"

AMENDMENT NO. 3

On page 5, line 5, change "job training" to "job-training"

On motion of Rep. Barrow, the amendments were adopted.

Rep. Broadwater sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Broadwater to Engrossed House Bill No. 464 by Representative Broadwater

AMENDMENT NO. 1

On page 1, line 8, delete "is" and insert in lieu thereof "are"

AMENDMENT NO. 2

On page 2, line 2, after "nonworking" and before "able-bodied" insert a comma "¿"

AMENDMENT NO. 3

On page 2, line 3, delete "out of" and insert in lieu thereof "in"

AMENDMENT NO. 4

On page 2, line 4, after "applications" and before "commonly" insert a comma "¿"

AMENDMENT NO. 5

On page 2, line 5, after ""waivers"" and before "to have" insert a comma ","

AMENDMENT NO. 6

On page 2, line 7, delete "so long as they" and insert in lieu thereof "provided that those persons"

AMENDMENT NO. 7

On page 4, line 14, after "participant" and before "at the" insert a comma "," and after "redetermination" and before "a six-month" insert a comma ","

AMENDMENT NO. 8

On page 4, line 17, delete "met" and insert in lieu thereof "meets"

AMENDMENT NO. 9

On page 4, delete lines 19 through 27 in their entirety and insert in lieu thereof the following:

"(a) In the previous six months, the participant satisfied requirements established by the department in rule relative to enrollment in an accredited postsecondary educational institution that grants associate or baccalaureate degrees.

(b) In the previous six months, the participant satisfied requirements established by the department in rule relative to enrollment in a program designed to lead to a high school diploma.

(c) In the previous six months, the participant satisfied requirements established by the department in rule relative to enrollment in a general education development test preparation course."

AMENDMENT NO. 10

On page 4, line 29, delete "(GED)"

AMENDMENT NO. 11

On page 5, line 2, delete the comma ","

AMENDMENT NO. 12

On page 5, at the end of line 15, change "waivers," to "waiver."

AMENDMENT NO. 13

On page 5, delete line 16 in its entirety and insert "exemption, or other formal authorization and any state plan amendment as may"

AMENDMENT NO. 14

On page 5, line 17, delete "workforce training and education"

AMENDMENT NO. 15

On page 7, at the end of line 10, change "Reporting" to "Notification to legislative committees; reporting"

AMENDMENT NO. 16

On page 7, between lines 10 and 11, insert the following:

"A. After receiving federal approval as provided in R.S. 46:318 and before commencement of the pilot initiative, the department shall transmit to the members of the House Committee on Health and Welfare and to the members of the Senate Committee on Health and Welfare a written notice that addresses the purpose and function of

the pilot initiative and indicates the commencement date of the initiative. The department may transmit the notice required by this Subsection via electronic mail."

AMENDMENT NO. 17

On page 7, at the beginning of line 11, change "No later than six" to "B. No later than twelve"

AMENDMENT NO. 18

On page 8, at the end of line 17, change "waivers," to "waiver,"

AMENDMENT NO. 19

On page 8, delete line 16 in its entirety and insert "exemption, or other formal authorization and any state plan amendment as may be"

On motion of Rep. Broadwater, the amendments were adopted.

Rep. Broadwater moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Montoucet
Abramson	Gisclair	Moreno
Adams	Guillory	Morris, Jay
Anders	Guinn	Morris, Jim
Arnes	Harris	Norton
Arnold	Harrison	Ortego
Badon	Havard	Pearson
Barras	Hazel	Pierre
Barrow	Henry	Ponti
Berthelot	Hensgens	Pope
Billiot	Hill	Price
Bishop, S.	Hodges	Pugh
Bishop, W.	Hoffmann	Pylant
Broadwater	Hollis	Reynolds
Brossett	Honore	Ritchie
Brown	Hunter	Schexnayder
Burford	Huval	Schroder
Burns, H.	Ivey	Shadoin
Burns, T.	Jackson	Simon
Burrell	James	Smith
Carter	Jefferson	St. Germain
Champagne	Johnson	Stokes
Chaney	Jones	Talbot
Connick	Lambert	Thibaut
Cox	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Dove	Leger	Williams, A.
Edwards	Leopold	Williams, P.
Fannin	Lopinto	Willmott
Foil	Lorusso	Woodruff
Franklin	Mack	
Gaines	Miller	
Total - 97		

NAYS

Total - 0

ABSENT

Carmody	Greene	Robideaux
Cromer	Howard	Seabaugh
Geymann	Richard	
Total - 8		

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The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Broadwater moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 465—

BY REPRESENTATIVE BROADWATER
AN ACT

To enact R.S. 47:1967(H), relative to ad valorem tax; to provide with respect to ad valorem taxes imposed on certain shares of bank stock; to provide for requirements of the Louisiana Legislature; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Broadwater, the bill was returned to the calendar.

HOUSE BILL NO. 466—

BY REPRESENTATIVE HENRY BURNS
AN ACT

To amend and reenact R.S. 8:655(A)(introductory paragraph) and (B) and to enact R.S. 8:655(C), relative to the disposal of human remains; to establish the right to control interment through a United States Department of Defense Form 93; to limit liability relative to the disposal of human remains; and to provide for related matters.

Read by title.

Rep. Henry Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Miller
Abramson	Garofalo	Montoucet
Adams	Gisclair	Moreno
Anders	Guillory	Morris, Jay
Armes	Guinn	Morris, Jim
Arnold	Harrison	Norton
Badon	Havard	Ortego
Barras	Hazel	Pearson
Barrow	Henry	Pierre
Berthelot	Hensgens	Ponti
Billiot	Hill	Pope
Bishop, S.	Hodges	Price
Bishop, W.	Hoffmann	Pugh
Broadwater	Hollis	Pylant
Brossett	Honore	Reynolds
Brown	Howard	Richard
Burford	Hunter	Ritchie
Burns, H.	Huval	Schexnayder
Burns, T.	Ivey	Schroder
Burrell	Jackson	Shadoin
Carmody	James	Simon
Carter	Jefferson	Smith
Champagne	Johnson	St. Germain
Chaney	Jones	Stokes
Connick	Lambert	Talbot
Cox	Landry, N.	Thibaut
Danahay	Landry, T.	Thierry
Dixon	LeBas	Thompson
Dove	Leger	Whitney

Edwards
Fannin
Foil
Franklin
Total - 99

Leopold
Lopinto
Lorusso
Mack

Williams, A.
Williams, P.
Willmott
Woodruff

NAYS

Total - 0

ABSENT

Cromer
Geymann
Total - 6

Greene
Harris

Robideaux
Seabaugh

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Henry Burns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 469—

BY REPRESENTATIVE HARRIS
AN ACT

To amend and reenact R.S. 37:1864.3(A)(1) and (3) and 1973(A)(1)(introductory paragraph) and (2), relative to used or secondhand property; to prohibit cash payments for aluminum-copper air conditioning coils; and to provide for related matters.

Read by title.

Speaker Pro Tempore Leger in the Chair

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 469 by Representative Harris

AMENDMENT NO. 1

On page 1, line 13, change "metal" to "copper"

AMENDMENT NO. 2

On page 1, line 19, following "copper" change "or" to ";"

AMENDMENT NO. 3

On page 2, line 1, following "copper" change "or" to ";"

AMENDMENT NO. 4

On page 2, line 9, following "copper" insert ";"

AMENDMENT NO. 5

On page 2, line 15, change "metal" to "copper"

On motion of Rep. Barrow, the amendments were adopted.

Rep. Harris sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Harris to Engrossed House Bill No. 469 by Representative Harris

AMENDMENT NO. 1

On page 1, line 8, after "copper" delete "or other metals and" and insert a comma " , "

AMENDMENT NO. 2

On page 1, line 9, after "conditioning coils" insert a comma " , " and "precious metals, or other metals"

AMENDMENT NO. 3

On page 1, line 13, delete "metal" and insert "copper"

AMENDMENT NO. 4

On page 2, line 9, after "copper" insert a comma " , "

AMENDMENT NO. 5

On page 2, line 15, delete "metal" and insert "copper"

On motion of Rep. Harris, the amendments were adopted.

Rep. Harris moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Garofalo	Miller
Adams	Gisclair	Montoucet
Anders	Guillory	Moreno
Armes	Guinn	Morris, Jay
Arnold	Harris	Morris, Jim
Badon	Harrison	Norton
Barras	Havard	Ortego
Barrow	Hazel	Pearson
Berthelot	Henry	Ponti
Billiot	Hensgens	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hodges	Pugh
Broadwater	Hoffmann	Pylant
Brossett	Hollis	Reynolds
Brown	Honore	Richard
Burford	Howard	Ritchie
Burns, H.	Hunter	Schexnayder
Burns, T.	Huval	Schroder
Burrell	Ivey	Simon
Carmody	Jackson	Smith
Carter	James	St. Germain
Champagne	Jefferson	Stokes
Chaney	Johnson	Talbot
Connick	Jones	Thibaut
Cox	Lambert	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Dove	Leger	Williams, A.
Edwards	Leopold	Williams, P.
Foil	Lopinto	Willmott
Franklin	Lorusso	Woodruff
Gaines	Mack	
Total - 95		

NAYS

Total - 0

ABSENT

Mr. Speaker	Greene	Seabaugh
Cromer	Landry, N.	Shadoin

Fannin
Geymann
Total - 10

Pierre
Robideaux

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Harris moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 479—

BY REPRESENTATIVE PONTI

AN ACT

To amend and reenact R.S. 39:2007(D), relative to state procurements and public contracts; to provide with respect to the Louisiana Initiative for Small Entrepreneurships; to provide for the duties of the commissioner of administration; to require notice to certain entities regarding public bid and other competitive opportunities for state procurements and public contracts; and to provide for related matters.

Read by title.

Rep. Ponti moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Guillory	Moreno
Adams	Harris	Morris, Jay
Anders	Harrison	Morris, Jim
Armes	Hazel	Norton
Arnold	Henry	Ortego
Badon	Hensgens	Pearson
Barras	Hill	Pierre
Barrow	Hodges	Ponti
Berthelot	Hoffmann	Pope
Billiot	Hollis	Price
Bishop, W.	Honore	Pugh
Broadwater	Howard	Pylant
Brown	Hunter	Reynolds
Burford	Huval	Richard
Burns, H.	Ivey	Ritchie
Burns, T.	Jackson	Schexnayder
Burrell	James	Schroder
Carmody	Jefferson	Simon
Carter	Johnson	Smith
Champagne	Jones	St. Germain
Chaney	Lambert	Stokes
Connick	Landry, N.	Thibaut
Cox	Landry, T.	Thierry
Dixon	LeBas	Thompson
Dove	Leger	Whitney
Edwards	Leopold	Williams, A.
Foil	Lopinto	Williams, P.
Franklin	Lorusso	Willmott
Gaines	Mack	Woodruff
Garofalo	Miller	
Gisclair	Montoucet	
Total - 91		

NAYS

Total - 0

ABSENT

Mr. Speaker	Fannin	Robideaux
Bishop, S.	Geymann	Seabaugh

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Brossett
Cromer
Danahay
Total - 14

Greene
Guinn
Havard

Shadoin
Talbot

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Ponti moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 583—

BY REPRESENTATIVE MACK

AN ACT

To enact R.S. 47:1923(D)(3), relative to the Livingston Parish assessor; to require the payment of certain group insurance premiums for retirees of the assessor's office; to establish retiree eligibility criteria; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 583 by Representative Mack

AMENDMENT NO. 1

On page 2, line 6, change "servicel" to "service."

On motion of Rep. Barrow, the amendments were adopted.

Rep. Mack moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson
Adams
Anders
Armes
Arnold
Badon
Barrow
Berthelot
Billiot
Bishop, S.
Bishop, W.
Broadwater
Brossett
Brown
Burford
Burns, H.
Burns, T.
Burrell
Carmody
Carter
Chaney
Connick
Cox
Danahay
Dixon
Dove

Geymann
Gisclair
Guillory
Harris
Harrison
Havard
Hazel
Henry
Hensgens
Hill
Hodges
Hoffmann
Hollis
Honore
Howard
Hunter
Huval
Ivey
James
Jefferson
Johnson
Jones
Lambert
Landry, N.
Landry, T.
LeBas

Miller
Montoucet
Moreno
Morris, Jay
Morris, Jim
Norton
Ortego
Pearson
Pierre
Pope
Price
Pugh
Pylant
Reynolds
Ritchie
Schexnayder
Schroder
Seabaugh
Simon
Smith
St. Germain
Stokes
Thibaut
Thierry
Thompson
Whitney

Edwards
Foil
Franklin
Gaines
Garofalo
Total - 91

Leger
Leopold
Lopinto
Lorusso
Mack

Williams, A.
Williams, P.
Willmott

NAYS

Total - 0

ABSENT

Mr. Speaker
Barras
Champagne
Cromer
Fannin
Total - 14

Greene
Guinn
Jackson
Ponti
Richard

Robideaux
Shadoin
Talbot
Woodruff

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Mack moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 712—

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 47:1624.1, relative to refunds; to provide with respect to the refund of overpayment of severance taxes; to prohibit certain taxpayers from earning interest on refunds; to provide for certain limitations; to provide for effectiveness; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Seabaugh, the bill was returned to the calendar.

HOUSE BILL NO. 713—

BY REPRESENTATIVE GREENE

AN ACT

To amend and reenact R.S. 47:633(9)(d)(v) and to enact R.S. 633(7)(c)(iii)(cc), relative to severance tax; to provide with respect to the payment of severance tax by certain well operators; to provide for certain requirements; to provide for applicability; to provide for an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Seabaugh, the bill was returned to the calendar.

HOUSE BILL NO. 788—

BY REPRESENTATIVES LEGER, WESLEY BISHOP, STOKES, AND WILLMOTT

AN ACT

To amend and reenact Sections 4 (introductory paragraph), 4D, 4G, 4M, 20A, and 23 and to enact Section 20F of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 657 of the 1979 Regular Session of the Legislature, Act No. 99 of the 1980 Regular Session of the Legislature, Act No. 9 of the 1980 Second Extraordinary Session of the Legislature, Act No. 287 of the 1982 Regular Session of the Legislature, Act No. 572 of the 1984 Regular Session of the Legislature, Act No. 390 of the 1987 Regular Session of the Legislature, Act No. 43 of the 1992 Regular Session of the Legislature, Act No. 1013 of the

1993 Regular Session of the Legislature, Act Nos. 13 and 42 of the 1994 Regular Session of the Legislature, Act Nos. 1174 and 1176 of the 1997 Regular Session of the Legislature, and Act No. 72 of the 2002 First Extraordinary Session of the Legislature, all relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority, to grant additional powers to the authority, to provide for the issuance of bonds and other obligations of the authority to finance expansion projects; to provide for additional bonding capacity of the authority; to provide an effective date; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Brossett, the bill was returned to the calendar.

Acting Speaker Lopinto in the Chair

HOUSE BILL NO. 792—

BY REPRESENTATIVE REYNOLDS

AN ACT

To enact R.S. 47:1925.11, relative to assessment districts; to provide relative to the office of assessor in the Webster Parish Assessment District; to authorize the assessor in such district to receive an automobile expense allowance; to provide for certain requirements; and to provide for related matters.

Read by title.

Rep. Reynolds moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Franklin	Montoucet
Abramson	Gaines	Moreno
Adams	Geymann	Morris, Jay
Anders	Gisclair	Morris, Jim
Armes	Guillory	Norton
Arnold	Guinn	Ortego
Badon	Harris	Pearson
Barras	Harrison	Pierre
Barrow	Havard	Pope
Berthelot	Hazel	Price
Billiot	Hill	Pugh
Bishop, S.	Hodges	Pylant
Bishop, W.	Hoffmann	Reynolds
Broadwater	Hollis	Ritchie
Brossett	Honore	Schexnayder
Brown	Howard	Schroder
Burford	Hunter	Seabaugh
Burns, H.	Huval	Smith
Burns, T.	Ivey	St. Germain
Burrell	James	Stokes
Carmody	Jefferson	Talbot
Carter	Jones	Thibaut
Chaney	Landry, N.	Thierry
Connick	Landry, T.	Thompson
Cox	LeBas	Whitney
Cromer	Leger	Williams, A.
Danahay	Leopold	Williams, P.
Dixon	Lopinto	Willmott
Dove	Lorusso	Woodruff
Edwards	Mack	
Foil	Miller	
Total - 91		

NAYS

Total - 0

ABSENT

Champagne	Hensgens	Richard
Fannin	Jackson	Robideaux
Garofalo	Johnson	Shadoin
Greene	Lambert	Simon
Henry	Ponti	

Total - 14

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Reynolds moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 788—

BY REPRESENTATIVES LEGER, WESLEY BISHOP, STOKES, AND WILLMOTT

AN ACT

To amend and reenact Sections 4 (introductory paragraph), 4D, 4G, 4M, 20A, and 23 and to enact Section 20F of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 657 of the 1979 Regular Session of the Legislature, Act No. 99 of the 1980 Regular Session of the Legislature, Act No. 9 of the 1980 Second Extraordinary Session of the Legislature, Act No. 287 of the 1982 Regular Session of the Legislature, Act No. 572 of the 1984 Regular Session of the Legislature, Act No. 390 of the 1987 Regular Session of the Legislature, Act No. 43 of the 1992 Regular Session of the Legislature, Act No. 1013 of the 1993 Regular Session of the Legislature, Act Nos. 13 and 42 of the 1994 Regular Session of the Legislature, Act Nos. 1174 and 1176 of the 1997 Regular Session of the Legislature, and Act No. 72 of the 2002 First Extraordinary Session of the Legislature, all relative to the Ernest N. Morial-New Orleans Exhibition Hall Authority, to grant additional powers to the authority, to provide for the issuance of bonds and other obligations of the authority to finance expansion projects; to provide for additional bonding capacity of the authority; to provide an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Leger moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Garofalo	Mack
Abramson	Gisclair	Miller
Adams	Guillory	Montoucet
Anders	Guinn	Moreno
Armes	Harris	Morris, Jay
Arnold	Harrison	Norton
Badon	Havard	Ortego
Barras	Hazel	Pearson
Barrow	Henry	Pierre
Berthelot	Hensgens	Ponti
Billiot	Hill	Pope
Bishop, S.	Hodges	Price
Bishop, W.	Hoffmann	Pugh
Broadwater	Hollis	Pylant
Brossett	Honore	Reynolds
Brown	Howard	Richard
Burford	Hunter	Ritchie
Burns, H.	Huval	Schexnayder

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Burns, T.	Ivey	Schroder
Burrell	Jackson	Seabaugh
Carter	James	Simon
Champagne	Jefferson	Smith
Chaney	Johnson	St. Germain
Connick	Jones	Stokes
Cox	Lambert	Talbot
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Edwards	Leger	Williams, A.
Foil	Leopold	Williams, P.
Franklin	Lopinto	Willmott
Gaines	Lorusso	Woodruff

Total - 96

NAYS

Total - 0

ABSENT

Carmody	Geymann	Robideaux
Dove	Greene	Shadoin
Fannin	Morris, Jim	Thibaut

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Leger moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Speaker Pro Tempore Leger in the Chair

HOUSE BILL NO. 803—

BY REPRESENTATIVE BERTHELOT
AN ACT

To enact R.S. 23:1036(M), relative to workers' compensation; to provide with respect to coverage for volunteer firefighters; to provide rule making authority; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Dove, the bill was returned to the calendar.

HOUSE BILL NO. 1028—

BY REPRESENTATIVE SCHEXNAYDER
AN ACT

To amend and reenact Children's Code Articles 1271(A), 1272(A), (B), and (C), 1273, and 1276 and R.S. 40:41(B)(1), 73(B), 77(B) and (D), and 79(A)(4) and to enact Children's Code Articles 1271(D), 1272(E), and 1272.1 and R.S. 40:80, relative to birth records; to provide procedures for a birth parent to file a contact preference form and updated statement of family history; to authorize birth parents to prohibit the release of certain identifying information; to provide procedures for an adult adoptee to obtain a noncertified copy of his original birth certificate and statement of family history; to authorize the state registrar to promulgate rules for the issuance of a noncertified copy of a birth certificate in certain circumstances; to provide for a public awareness campaign; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Carter, the bill was returned to the calendar.

HOUSE BILL NO. 1050—

BY REPRESENTATIVE CHANEY

AN ACT

To amend and reenact R.S. 47:1707, relative to ad valorem property tax exemptions; to provide relative to the ad valorem property tax exemption for certain agricultural machinery and other implements used exclusively for agricultural purposes; to remove certain restrictions; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Chaney moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Geymann	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Morris, Jim
Arnold	Guinn	Ortego
Badon	Harris	Pearson
Barras	Harrison	Pierre
Barrow	Havard	Ponti
Berthelot	Henry	Pope
Billiot	Hensgens	Price
Bishop, S.	Hill	Pugh
Bishop, W.	Hodges	Pylant
Broadwater	Hoffmann	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Schexnayder
Burns, H.	Hunter	Schroder
Burns, T.	Huval	Seabaugh
Burrell	Ivey	Simon
Carmody	Jackson	Smith
Champagne	James	St. Germain
Chaney	Jefferson	Stokes
Connick	Johnson	Talbot
Cox	Jones	Thibaut
Cromer	Lambert	Thierry
Danahay	Landry, N.	Thompson
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Edwards	Leger	Williams, P.
Foil	Leopold	Willmott
Franklin	Lopinto	Woodruff
Gaines	Lorusso	
Garofalo	Miller	

Total - 97

NAYS

Total - 0

ABSENT

Mr. Speaker	Hazel	Robideaux
Carter	Mack	Shadoin
Fannin	Norton	

Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Chaney moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Consent to Correct a Vote Record

Rep. Hoffmann requested the House consent to record his vote on final passage of House Bill No. 1050 as yea, which consent was unanimously granted.

HOUSE BILL NO. 1055—

BY REPRESENTATIVE GUINN

AN ACT

To amend and reenact R.S. 56:1948.5(50), to enact R.S. 56:1948.5(65), and to repeal R.S. 56:1948.5(20), (48), (51), and (54), relative to Louisiana Byways; to designate sections of certain highways as Louisiana Byways; and to provide for related matters.

Read by title.

Rep. Guinn moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Geymann	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Morris, Jim
Arnold	Guinn	Norton
Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Ponti
Billiot	Henry	Pope
Bishop, S.	Hensgens	Price
Bishop, W.	Hill	Pugh
Broadwater	Hodges	Pylant
Brossett	Hoffmann	Reynolds
Brown	Hollis	Richard
Burford	Honore	Ritchie
Burns, H.	Howard	Schexnayder
Burns, T.	Hunter	Schroder
Burrell	Huval	Seabaugh
Carmody	Ivey	Simon
Carter	Jackson	Smith
Champagne	Jefferson	St. Germain
Chaney	Johnson	Stokes
Connick	Jones	Talbot
Cox	Lambert	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Dove	Leger	Williams, A.
Edwards	Leopold	Williams, P.
Foil	Lopinto	Willmott
Franklin	Lorusso	Woodruff
Gaines	Mack	
Garofalo	Miller	
Total - 100		

NAYS

Total - 0

ABSENT

Mr. Speaker	James	Shadoin
Fannin	Robideaux	
Total - 5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Guinn moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1133—

BY REPRESENTATIVE TIM BURNS

AN ACT

To enact Chapter 2-A of Code Title XV of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3851 through 3856, and to amend and reenact Civil Code Article 3029 and R.S. 6:311.1 and 333(B)(introductory paragraph), relative to powers of attorney for the elderly; to provide for the filing of an action to review the acts of a mandatory; to provide for contents of the petition, service, and venue; to provide for the motion to dismiss; to provide for the substitution of parties; to provide for the relief the court may grant and the actions the court may take; to provide for the acts of the mandatory that constitute irreparable injury; to provide for payment of costs and attorney fees; to provide for exclusions and the applicability of the action; to provide for termination of the mandate; to provide for written notice to federally insured financial institutions; to provide for termination or modification; to provide for a bank's disclosure of certain records; and to provide for related matters.

Read by title.

Rep. Tim Burns moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Gisclair	Miller
Adams	Greene	Montoucet
Anders	Guillory	Moreno
Armes	Harris	Morris, Jay
Arnold	Harrison	Morris, Jim
Barras	Havard	Norton
Barrow	Hazel	Pearson
Berthelot	Henry	Pierre
Billiot	Hensgens	Ponti
Bishop, S.	Hill	Pope
Bishop, W.	Hodges	Price
Broadwater	Hoffmann	Pugh
Brossett	Hollis	Pylant
Brown	Honore	Reynolds
Burford	Howard	Richard
Burns, H.	Hunter	Ritchie
Burns, T.	Huval	Schexnayder
Carmody	Ivey	Schroder
Carter	Jackson	Seabaugh
Champagne	James	Shadoin
Chaney	Jefferson	Simon
Connick	Johnson	Smith
Cromer	Jones	St. Germain
Danahay	Lambert	Stokes
Dixon	Landry, N.	Talbot
Dove	Landry, T.	Thibaut
Edwards	LeBas	Thierry
Foil	Leger	Thompson
Franklin	Leopold	Whitney
Gaines	Lopinto	Williams, A.
Garofalo	Lorusso	Williams, P.
Geymann	Mack	Willmott
Total - 96		

NAYS

Total - 0

ABSENT

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Mr. Speaker
Badon
Burrell
Total - 9

Cox
Fannin
Guinn

Ortego
Robideaux
Woodruff

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Tim Burns moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1256 (Substitute for House Bill No. 152 by Representative Harrison)—
BY REPRESENTATIVE HARRISON

AN ACT

To amend and reenact R.S. 36:471(A) and 801.1(A), to enact R.S. 36:259(M), and to repeal R.S. 36:4(A)(10), relative to reorganization of the executive branch of state government; to provide that the Department of Children and Family Services shall be an independent agency within the Department of Health and Hospitals; to provide for the powers, duties, functions, and responsibilities of the Department of Children and Family Services; to provide for effectiveness of the act; to provide that the act has the effect of abolishing one of the twenty executive branch departments and provides for the effectiveness of laws relative to the Department of Elderly Affairs; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 1256 by Representative Harrison

AMENDMENT NO. 1

On page 3, line 7, following "(D)," and before "725" insert "and"

AMENDMENT NO. 2

On page 3, line 7, following "(A)" delete ", and 769(J)"

On motion of Rep. Barrow, the amendments were adopted.

Rep. Harrison sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Harrison to Engrossed House Bill No. 1256 by Representative Harrison

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 through 9, and insert in lieu thereof:

"R.S. 36:4(A)(5) and R.S. 36:251, 252, 253, 254(A)(2), (3), (6), and (7), (B)(1)(a)(introductory paragraph) and (C), 254.1(A), (B), (C)(introductory paragraph), (2) and (4), 254.2, 255, 256, 257, 258(A) and (F), and 259, to enact R.S. 36:258(M), and to repeal R.S. 36:4(A)(10), 254(A)(9) through (14), (B)(5) through (7), and (9), and (D), and Chapter 10-A of Title 36 of the Louisiana Revised Statutes of 1950, comprised of R.S. 36:471 through 478, relative to the reorganization of the executive branch of state government; to

provide for the Department of Health and Hospitals and Children and Family Services by combining the Departments of Health and Hospitals and the Department of Children and Family Services into one department; to provide that the new department shall be the successor of the two prior departments; to provided for the organization of the department by creating health and hospitals services and children and family services within the department and providing for the powers, duties and responsibilities of each of such services; to provide for department officers and offices and their powers, duties, and responsibilities; to transfer agencies to the department and provide for their powers, duties, and responsibilities; to provide for implementation;"

AMENDMENT NO. 2

On page 1, line 12, after "Section 1." delete the remainder of the line and delete line 13 and insert in lieu thereof "R.S. 36:4(A)(5) and R.S. 36:251, 252, 253, 254(A)(2), (3), (6), and (7), (B)(1)(a)(introductory paragraph) and (C), 254.1(A), (B), (C)(introductory paragraph), (2) and (4), 254.2, 255, 256, 257, 258(A) and (F), and 259 are hereby amended and reenacted and R.S. 36:258(M) is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete lines 14 through 20 and delete page 2 and on page 3, delete lines 1 through 9 and insert in lieu thereof:

"§4. Structure of executive branch of state government

A. In accordance with the provisions of Article IV, Section 1 and Article XIV, Section 6 of the Constitution of Louisiana, all offices, boards, commissions, agencies, and instrumentalities of the executive branch of state government, whether constitutional or statutory, and/or their functions, powers, duties, and responsibilities shall be allocated, either in the Act by which this Title was created or by legislation enacted subsequent thereto, within the departments listed in this Section, except as provided in Subsections B and C of this Section, and in order to comply with this constitutional mandate, the agencies of the executive branch of state government hereinafter enumerated, whether heretofore created by the constitution or by statute, and/or their functions, powers, duties, and responsibilities are allocated, in the manner hereinafter set forth in this Title, within the following designated departments:

* * *

(5) Department of Health and Hospitals and Children and Family Services

* * *

CHAPTER 6. DEPARTMENT OF HEALTH AND HOSPITALS AND CHILDREN AND FAMILY SERVICES

§251. Department of Health and Hospitals and Children and Family Services; creation; domicile; composition; purpose and functions

A. The Department of Health and Hospitals and Children and Family Services is created and shall be a body corporate with the power to sue and be sued. The domicile of the department shall be in Baton Rouge where it shall maintain its principal offices, but the secretary may maintain branch offices if he deems it in the best interest of the efficient administration of the department; however, the principal offices of the office of public health may be located and maintained in the parish of Orleans.

B.(1) The Department of Health and Hospitals and Children and Family Services, through its offices and officers, shall be responsible for the development and providing of health and medical services for

the prevention of disease for the citizens of Louisiana. The Department of Health and Hospitals and Children and Family Services shall provide health and medical services for the uninsured and medically indigent citizens of Louisiana. The secretary and the chancellor of the Louisiana State University Health Sciences Center shall provide for coordination in the delivery of services provided by the Louisiana State University Health Sciences Center with those services provided by the Department of Health and Hospitals and Children and Family Services, local health departments, and federally qualified health centers, including but not limited to services for the mentally ill, for persons with mental retardation and developmental disabilities, for those suffering from addictive disorders, public health services, and services provided under the Medicaid program.

(2) The Department of Health and Hospitals and Children and Family Services, through its office and officers, shall be responsible for the development and providing of social services and the improvement of social conditions for the citizens of Louisiana.

C.(1)(a) The Department of Health and Hospitals and Children and Family Services shall be composed of the executive office of the secretary, ~~the office of management and finance, the office of public health, the office of behavioral health, the office for citizens with developmental disabilities, the office of aging and adult services, health and hospitals services, children and family services, and such other offices as shall be created by law.~~

(b) Health and hospitals services shall include the office of ~~management and finance for health and hospitals services, the office of public health, the office of behavioral health, the office for citizens with developmental disabilities, and the office of aging and adult services and shall also include the deputy secretary for health and hospitals services, the undersecretary for the office of management and finance for health and hospitals services, the assistant secretaries of the offices included in health and hospitals services, and personnel necessary to carry out their functions. It shall also include all agencies transferred to the department whose functions are related to health and hospitals services and all functions of abolished agencies transferred to the department that are related to health and hospitals services and all personnel of such agencies and personnel who perform such functions.~~

(c) Children and family services shall include the division of ~~programs, the division of operations, the office of children and family services, the division of management and finance of the office of children and family services, the deputy secretary for children and family services, the assistant deputy secretary of programs, the assistant deputy secretary of operations, the assistant secretary of the office of children and family services, the undersecretary of the division of management and finance of the office of community and family services, and personnel necessary to carry out their functions. It shall also include all agencies transferred to the department whose functions are related to children and family services and all functions of abolished agencies transferred to the department that are related to children and family services and all personnel of such agencies and personnel who perform such functions.~~

(2) Whenever the secretary determines that the administration of the functions of the department may be more efficiently performed by eliminating, merging, or consolidating existing offices or establishing new offices, he shall present a plan therefor to the legislature for its approval by statute.

§252. Officers of the department; compensation for one office only

A. The officers of the department shall be the secretary, ~~the undersecretary, the deputy secretary if a deputy secretary is appointed; if one is appointed, the deputy secretary for health and hospitals services, the undersecretary for the office of management and finance for health and hospitals services, the deputy secretary for children and family services, the assistant deputy secretary of programs, the assistant deputy secretary of operations, the~~

~~undersecretary of the division of management and finance of the office of community and family services, and assistant secretaries, each of whom shall be selected and shall perform functions as provided in this Title.~~

B. No person serving as ~~a secretary, deputy secretary, undersecretary, or assistant secretary~~ an officer of the department shall receive any additional salary from the state other than that salary which he receives by virtue of serving in any one of such offices. Any statewide elected official appointed to serve as ~~a secretary, deputy secretary, undersecretary, or assistant secretary~~ an officer of the department shall not receive any additional salary from the state other than that salary which he receives as a statewide elected official.

C. Notwithstanding any provision herein to the contrary, subject to approval of the governor, any person, including any statewide elected official, serving or appointed to serve as ~~a secretary, undersecretary, deputy secretary, or assistant secretary~~ an officer of the department may receive additional compensation for part-time services rendered as an instructor in postsecondary educational institutions, or as a member of the National Guard.

§253. Secretary of health and hospitals and children and family services

There ~~shall may~~ be a secretary of health and hospitals and children and family services, who, if there is to be one, shall be appointed by the governor with consent of the Senate and who shall serve at the pleasure of the governor at a salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session. ~~The~~ If appointed, ~~the~~ secretary shall serve as the executive head and chief administrative officer of the Department of Health and Hospitals and Children and Family Services and shall have the responsibility for the policies of the department, except as otherwise provided by this Title, and for the administration, control, and operation of the functions, programs, and affairs of the department; provided that the secretary shall perform his functions under the general control and supervision of the governor.

§254. Powers and duties of the secretary of the Department of Health and Hospitals and Children and Family Services

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

* * *

(2) Determine the policies of the department, except as otherwise provided by this Title. ~~For this purpose, he shall conduct such studies and investigations as are necessary for the formulation of programs, plans, department procedures, rules and regulations, or for the implementation of remedial actions.~~

(3) In accordance with the Administrative Procedure Act, make, alter, amend, and promulgate rules and regulations necessary for the administration of the functions of the department, except as authorized by this Chapter for the deputy secretary for health and hospitals services and the deputy secretary for children and family services and as otherwise provided by this Title.

* * *

(6)(a) Act as the sole agent of the state or, in necessary cases, designate one of the offices within the department or its assistant secretary to cooperate with the federal government and with other state and local agencies in matters of mutual concern and in the administration of federal funds granted to the state or directly to the department or an office thereof to aid in the furtherance of any function of the department or its offices; ~~including but not limited~~. For this purpose he may take such actions, in accordance with any

applicable state law, necessary to meet such federal standards as are established for the administration and use of such federal funds, except as otherwise specifically provided in this Title or by the constitution and laws of this state.

(b) The deputy secretary for health and hospitals services shall be the agent of the state to cooperate with the federal government relative to funding for the Medical Assistance Program, Title XIX of the Social Security Act. For this purpose he may take such actions, in accordance with any applicable state law, necessary to meet such federal standards as are established for the administration and use of such federal funds, except as otherwise specifically provided in this Title or by the constitution and laws of this state.

~~(b) (c) Act~~ The deputy secretary for health and hospitals services shall act as the sole agent of the state or, in necessary cases, designate one of the offices within the department or its assistant secretary to cooperate with the federal government and with other state and local agencies in the administration of federal funds granted to the state pursuant to the State Children's Health Insurance Program, Title XXI of the Social Security Act. For this purpose he may take such actions, in accordance with any applicable state law, necessary to meet such federal standards as are established for the administration and use of such federal funds, except as otherwise specifically provided in this Title or by the constitution and laws of this state, and provided that if the department or health and hospitals services develops a private health insurance model, the department through health and hospitals services and the Department of Insurance shall jointly promulgate the necessary rules in accordance with the Administrative Procedure Act to establish the private health insurance model. Any rules or regulations promulgated pursuant to the private health insurance model shall be subject to review by the House Committee on Health and Welfare and the Senate Committee on Health and Welfare and the House Committee on Insurance and the Senate Committee on Insurance.

(7) ~~Make and publish an annual report to the governor and the legislature concerning the operations of the department and submit with each report such recommendations as he deems necessary for the more effective internal structure and administration of the department, and make other reports and recommendations on his own initiative or upon the request of the governor, the legislature, or any committee or member thereof.~~

* * *

B. The secretary shall have authority to:

(1)(a) Except as otherwise specifically provided in this Chapter and in R.S. 36:801 and R.S. 36:803:

* * *

C. The secretary and any deputy secretary shall have no power to buy and sell lands, incur debt or issue bonds, or to lease or mortgage property under his control except as may be provided by the general laws of the state or as hereafter specifically conferred by law upon him.

* * *

§254.1. Power of the deputy secretary of the Department of Health and Hospitals for health and hospital services to issue tax-exempt or taxable debt relative to the Drinking Water Revolving Loan Fund

A. The deputy secretary of the department for health and hospital services is authorized and empowered to administer, maintain and operate the Drinking Water Revolving Loan Fund as created and provided in R.S. 40:2821 through 2826.

B. In connection with such administration, maintenance, and operation, the department through health and hospitals services is authorized to incur debt and issue bonds, notes, or other evidence of indebtedness, and is authorized to pledge the sums in, credited to, or payable to the Drinking Water Revolving Loan Fund as security for the debt of other entities, and is authorized to arrange, provide for, and pay the cost of credit enhancement devices for its debt and the debt of other entities in order to provide funds in connection with the Drinking Water Revolving Loan Fund Program. Any such evidence of indebtedness, guarantee, pledge, or credit enhancement device shall be authorized, executed, and delivered by the deputy secretary for health and hospital services or his designee in accordance with the provisions and subject to the limitations provided in R.S. 40:2821 through 2826 of the Drinking Water Revolving Loan Fund.

C. In connection with the above power and duties involving the Drinking Water Revolving Loan Fund, the deputy secretary of the department for health and hospital services is authorized to:

* * *

(2) To administer the financial aspects of the Drinking Water Revolving Loan Fund as established in R.S. 40:2821 through 2826. The deputy secretary for health and hospital services is also authorized to enter into contracts and other agreements in connection with the operation of the Drinking Water Revolving Loan Fund to the extent necessary or convenient for the implementation of the Drinking Water Revolving Loan Fund Program.

* * *

(4) ~~The deputy secretary of the Department of Health and Hospitals~~ for health and hospital services on behalf of the Department of Health and Hospitals and Children and Family Services, hereafter the "department", is hereby authorized to issue, incur, and deliver debt evidenced by bonds, notes, or other evidences of indebtedness, payable from or secured by sums deposited in, credited to, or to be received in, including sums received pursuant to letters of credit, by the department in the Drinking Water Revolving Loan Fund as created and established in R.S. 40:2821 through 2826. The department is further authorized to undertake and to issue and deliver evidences of its guarantee of the debt of other entities and is authorized to enter and execute pledges of the sums deposited in, credited to, or to be received in the Drinking Water Revolving Loan Fund, including payments pursuant to letters of credit, to secure the debt of other entities. Such bonds, notes, or other evidences of indebtedness, such guarantees, and such pledges issued and delivered pursuant to the authority hereof shall constitute special and limited obligations of the department, and shall not be secured by the full faith and credit of the state of Louisiana, any source of revenue of the state of Louisiana other than those sums on deposit in, credited to, or to be received in the Drinking Water Revolving Loan Fund including payments to be made pursuant to letters of credit. It is hereby found and determined that such bonds, notes, or other evidences of indebtedness, guarantees, and pledges shall constitute revenue bonds, debts, or obligations within the meaning of Article VII, Section 6(C) of the Constitution of Louisiana and shall not constitute the incurring of state debt thereunder. Withdrawals from the Drinking Water Revolving Loan Fund to pay debt service on any bond, note, or other evidence of indebtedness, obligation of guarantee of any debt, or pledge to secure any debt does not constitute and shall not be subject to annual appropriation by the legislature as provided by Article III, Section 16 of the Constitution of Louisiana.

* * *

§254.2. Hot Wells Rehabilitation Center

All rights, title, and interest in the Hot Wells Rehabilitation Center, including all property, rights to mineral waters, equipment, and facilities, are vested in the office of the secretary, Department of Health and Hospitals and Children and Family Services. The deputy

secretary for health and hospital services of the Department of Health and Hospitals and Children and Family Services may engage in cooperative endeavors, including but not limited to contracts or leases, with any public or private association, corporation, or individual for the establishment, maintenance, and operation of the Hot Wells Rehabilitation Center facilities as public facilities for rehabilitation purposes.

§255. Deputy ~~secretary~~ secretaries; assistant deputy secretaries

A. There may be a deputy secretary of the department, who shall be appointed by the secretary with consent of the Senate and who shall serve at the pleasure of the secretary at a salary fixed by the secretary; shall be a deputy secretary for health and hospitals services and a deputy secretary for children and family services, each of whom shall be appointed by the governor with consent of the Senate and who shall serve at the pleasure of the governor at a salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session. The duties and functions of the deputy secretary shall be determined and assigned by the secretary. If appointed, he shall serve as acting secretary in the absence of the secretary.

B.(1) The deputy secretary for health and hospitals services shall serve as the chief administrative officer of health and hospitals services and shall have responsibility for the overall administration, control, and operation of the affairs of health and hospitals services. The deputy secretary for health and hospitals services shall exercise all powers and authority granted to him by law subject to the overall direction and control of the governor and he shall report directly to the governor. The duties and functions of the deputy secretary for health and hospitals services shall be as provided by law and shall not be subject to change by the department secretary, if one is appointed.

(2) Health and hospitals services and all of its component entities as provided in R.S. 36:251(C)(1)(b) shall be under the supervision and direction of the deputy secretary for health and hospitals services.

(3) The deputy secretary for health and hospitals services shall be an ex officio member of each board and commission in the Department of Health and Hospitals and Children and Family Services which is related to the functions of health and hospitals services. However, the deputy secretary may appoint a designee to be his representative as an ex officio member of each board and commission which is related to the functions of health and hospitals services.

(4) The deputy secretary for health and hospitals services shall serve as acting secretary in the absence of the secretary over all functions of the department related to health and hospitals services.

(5) The deputy secretary for health and hospitals services shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of health and hospitals services and for the performance of the powers, duties, functions, and responsibilities of health and hospitals services, including any agencies transferred to the department which are related to the functions of health and hospitals services, except as otherwise provided by this Title. The deputy secretary for health and hospitals services shall be solely responsible for employment, assignment, and removal of all personnel employed for health and hospitals services on a contractual basis. The deputy secretary for health and hospitals services shall be solely responsible for the transfer of all personnel within health and hospitals services, and no personnel shall be transferred to or from health and hospitals services to any other office of the department without his prior approval.

(6) The deputy secretary for health and hospitals services shall:

(a) Conduct such studies and investigations as are necessary for the formulation of programs, plans, department procedures, rules and regulations, or for the implementation of remedial actions.

(b) Act as legal custodian of any child placed with the health and hospitals services by a court of law.

(c) Grant rights of way, servitudes, and easements across state-owned lands under his jurisdiction to other public bodies, either state or local, for any public purpose. He shall also have authority to grant rights of way, servitudes, and easements across state lands under his jurisdiction to any other person or entity for the purpose of laying pipelines, gas lines, water lines and for the transmission of electricity for power and light, and also for telephone and telegraph lines, for railroad lines or tracks, for road construction, and for drainage purposes, and to enter into the necessary contracts therefor, which shall provide for the payment of an adequate consideration. Such payment, in order to be considered as adequate consideration, shall be based on payments made for other comparable contracts in the vicinity, when available, providing compensation for rights of way, servitudes, easements, and for damages relative thereto.

(d) Adopt and promulgate rules and regulations providing for certification of laboratories providing chemical analysis, analytical results, or other appropriate test data to health and hospitals services which is required as a part of any permit application, required by order of health and hospitals services or any office or agency in health and hospitals services, required to be included on any monitoring reports submitted to health and hospitals services or any such office or agency, or otherwise required by the regulations adopted pursuant to state or federal laws. The regulations shall provide for appropriate fees to be charged to develop and operate the laboratory certification program.

(e) Assign the function of diagnosis and case management of alcohol or drug abusers, persons with intellectual disabilities and persons with autism to the appropriate office of health and hospitals services or the appropriate level of government.

(f) In accordance with the Administrative Procedure Act, make, alter, amend, and promulgate rules and regulations necessary for the administration of the functions of the health and hospitals services.

(g) Do such other things, not inconsistent with law, as are necessary to properly perform the functions vested in him.

(h) Conduct hearings and pass upon complaints that may be made in relation to the administration of health and hospitals services; however, he may delegate this authority to one of the offices or agencies of health and hospitals services.

(i) Perform the functions of the state relating to all of the following:

(i) Licensing of health related professionals.

(ii) Licensing of health facilities, including hospitals and nursing homes.

(iii) Licensing of institutions for persons with intellectual disabilities.

(iv) Licensing of systems of distribution for controlled dangerous substances.

(v) Licensing of child care institutions funded under Title XIX of the Social Security Act.

(vi) Any required certification for Medicare or Medicaid funding.

(vii) Certification of emergency medical services.

(viii) Provision of adult protective services to adults with disabilities in accordance with R.S. 15:1501, et seq.

(j) Direct and be responsible for grants management, staff development, and policy planning and evaluation for health and hospitals services and all of its offices, including all agencies related to the functions of health and hospitals services that are transferred to the Department of Health and Hospitals and Children and Family Services.

(k)(i) Provide targeted health care programs in priority health care zones upon one hundred percent federal funding for such purpose. Such targeted programs shall:

(aa) Be intended to lower infant mortality, teenage pregnancy, and substance abuse.

(bb) Be of the type determined by the deputy secretary.

(cc) Be in addition to programs already in existence or any programs that may have been implemented in these areas by health and hospitals services under normal circumstances.

(ii) "Priority health care zone" means any parish or municipality listed as one of the ten parishes or twenty-five municipalities with the highest rates of infant mortality, teenage pregnancy, or substance abuse in Louisiana as of July first of any given year according to statistics compiled by health and hospitals services.

(iii) The deputy secretary shall submit annually, to the health and welfare committees of the House of Representatives and Senate, a report detailing actions taken by health and hospitals services in compliance with this Subparagraph.

(l)(i) Develop and implement targeted programs, if and when federal funds become available, to enhance basic care facilities as defined in R.S. 40:2175 and comprehensive regional treatment centers that may exist and be located in the ten most populated municipalities in the state, excepting the city of New Orleans.

(ii) These targeted programs should be of the type developed by the deputy secretary and be intended to enhance the available and accessible health care of the citizens of the more rural areas of the state.

(m) Determine how funding for residency positions, residency supervision, and other medical education resources shall be allocated among institutions which provide medical education at hospitals in the health care services division of the Louisiana State University Health Sciences Center, including the Medical Center of Louisiana at New Orleans, to ensure that there is an equitable distribution among medical education programs providing services in public institutions. In making such determinations, the deputy secretary shall consider advice provided by the Medical Education Commission, the historical distribution of graduate medical education resources, the long-term effects of the allocation of medical education resources to each program, and the clinical workload of each program.

C.(1)(a)(i) The deputy secretary for health and hospitals services shall direct and be responsible for the Medical Assistance Program, Title XIX of the Social Security Act, including eligibility determination and those health planning and resource development functions as are permissible under provisions of Title XIX of the Social Security Act, Title XXI of the Social Security Act, and R.S. 46:976. Any modification to the Medical Assistance Program approved by waiver by the United States Department of Health and Human Services, Health Care Financing Administration, that provides for a managed care or voucher system shall be implemented by the deputy secretary for health and hospitals services but only

after the approved plan and any modifications thereto have been approved by the House and Senate Committees on Health and Welfare and the Joint Legislative Committee on the Budget. Unless approved by such committees as provided in this Subparagraph, modifications to the medical assistance program as provided herein shall not be considered avoidance of a budget deficit in the case of medical assistance programs, shall not be considered a means of securing new or enhanced federal funding in medical assistance programs, and shall not be considered necessary to avoid imminent peril to the public health, safety, or welfare; such modification shall not be promulgated as emergency rules under the provisions of R.S. 49:953(B) unless approved by such committees.

(ii) Any state Medicaid plan amendment shall provide assurances that for the provisions of the plan being amended, the state's payment rates for hospital, nursing facility, and institutional services shall be reasonable and adequate to meet the costs that must be incurred by efficiently and economically operated facilities, and any state Medicaid plan amendment shall comply with Section 1902(a)(13)(A) of the Social Security Act, known as the Boren amendment. The requirements of this Item shall not apply to state Medicaid plan amendments to implement a waiver approved by both houses of the legislature in accordance with Item (i) of this Subparagraph.

(b) The deputy secretary for health and hospitals services is authorized to enter into interagency agreements for the performance of eligibility determination services to determine client eligibility for the Medical Assistance Program.

(2) Except as otherwise limited by a specific provision of law, the deputy secretary for health and hospitals services is authorized to perform all of the following relative to or concerning the Medical Assistance Program:

(a) Adopt and promulgate rules and regulations related to the program in accordance with the Administrative Procedure Act.

(b) Develop and implement criteria, policies, and procedures concerning the program.

(c) Investigate, audit, and impose sanctions and other remedial measures on health care providers and others concerning the program.

(d) File suit on behalf of the Medical Assistance Program and select legal counsel employed by health and hospitals services and other counsel as permitted by law to represent the deputy secretary for health and hospitals services and the Medical Assistance Program in any such actions.

(3) The deputy secretary for health and hospitals services may adopt rules and regulations for health care providers, in accordance with the Administrative Procedure Act and not inconsistent with state or federal law, governing their participation in the Medical Assistance Program. Such rules and regulations may include but shall not be limited to the following:

(a) The requirement that any health care provider who wishes to participate in the state Medical Assistance Program shall:

(i) Enter into an agreement with the deputy secretary for health and hospitals services prior to receipt of any payment or reimbursement for services rendered to persons eligible for the Medical Assistance Program.

(ii) Provide specified information and provide authorization for the deputy secretary for health and hospitals services to verify such information prior to entering into the agreement with the deputy secretary for health and hospitals services.

(iii) Provide a letter of credit, surety bond, or a combination thereof, not to exceed fifty thousand dollars.

(b) General terms and conditions to which any provider shall agree in order to enter into a health care provider agreement with the deputy secretary for health and hospitals services.

(c) Terms and conditions for the suspension, denial, or revocation of a health care provider agreement.

(d) Sanctions for violations of federal and state laws and rules applicable to the Medical Assistance Program.

D.(1) The deputy secretary for children and family services shall serve as the chief administrative officer of children and family services and shall have responsibility for the overall administration, control, and operation of the affairs of children and family services. The deputy secretary for children and family services shall exercise all powers and authority granted to him by law subject to the overall direction and control of the governor and he shall report directly to the governor. The duties and functions of the deputy secretary for children and family services shall be as provided by law and shall not be subject to change by the department secretary.

(2) Children and family services and all of its component entities as provided in R.S. 36:251(C)(1)(c) shall be under the supervision and direction of the deputy secretary for children and family services.

(3) The deputy secretary for children and family services shall be an ex officio member of each board and commission in the Department of Health and Hospitals and Children and Family Services which is related to the functions of children and family services. However, the deputy secretary may appoint a designee to be his representative as an ex officio member of each board and commission which is related to the functions of children and family services.

(4) The deputy secretary for children and family services shall serve as acting secretary in the absence of the secretary over all functions of the department related to children and family services.

(5) The deputy secretary for children and family services shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of children and family services and for the performance of the powers, duties, functions, and responsibilities of children and family services, including any agencies transferred to the department which are related to the functions of children and family services, except as otherwise provided by this Title. The deputy secretary for children and family services shall be solely responsible for employment, assignment, and removal of all personnel employed for children and family services on a contractual basis. The deputy secretary for children and family services shall be solely responsible for the transfer of all personnel within children and family services, and no personnel shall be transferred to or from children and family services to any other office of the department without his prior approval.

(6) The deputy secretary for children and family services shall:

(a) Conduct such studies and investigations as are necessary for the formulation of programs, plans, department procedures, rules and regulations, or for the implementation of remedial actions.

(b) Act as legal custodian of any child placed with the children and family services by a court of law.

(c) Grant rights of way, servitudes, and easements across state-owned lands under his jurisdiction to other public bodies, either state or local, for any public purpose. He shall also have authority to grant rights of way, servitudes, and easements across state lands under his jurisdiction to any other person or entity for the purpose of laying

pipelines, gas lines, water lines and for the transmission of electricity for power and light, and also for telephone and telegraph lines, for railroad lines or tracks, for road construction, and for drainage purposes, and to enter into the necessary contracts therefor, which shall provide for the payment of an adequate consideration. Such payment, in order to be considered as adequate consideration, shall be based on payments made for other comparable contracts in the vicinity, when available, providing compensation for rights of way, servitudes, easements, and for damages relative thereto.

(d) In accordance with the Administrative Procedure Act, make, alter, amend, and promulgate rules and regulations necessary for the administration of the functions of the children and family services.

(e) Be responsible for management and program analysis and policy planning and evaluation for the department and all of its offices, including all agencies transferred to the department.

(f)(i) Prepare and submit a state plan for participation in the Child Care and Development Block Grant Program and in the Title IV-A federal program to assist families at risk of welfare dependency. The Joint Committee on Health and Welfare shall serve as an advisory committee to the deputy secretary to begin developing the state plan. This Subparagraph shall be subject to provisions of Item (ii) of this Subparagraph.

(ii)(aa) Not later than March 31, 1996, the secretary of the Department of Health and Hospitals shall submit to the legislature a proposal for another welfare reform program in this state. The program shall provide for a replacement, by July 1, 1999, of the public assistance program, the Aid to Families with Dependent Children program, and to the extent that recipients of food coupons under the food stamp program also receive Aid to Families with Dependent Children or public assistance, the food stamp program under 7 U.S.C. 2011 to 2029. The program shall provide for the continuation of the food stamp program for food stamp recipients who are not recipients of Aid to Families with Dependent Children or public assistance. The program shall also meet the following requirements:

I. The program shall offer basic income support to low-income persons who cannot work.

II. The program shall offer employment opportunities to low-income persons who can work, but who cannot find employment. These employment opportunities may not supplant existing employees.

III. The program shall be approved by a majority of both houses of the legislature.

(bb) Notwithstanding any provision of law to the contrary, the department and the state shall not administer public assistance, Aid to Families with Dependent Children, or food stamps after July 1, 1999, except as provided under a welfare reform program adopted by the legislature as provided in this Subsection, provided such a program is adopted by the legislature.

(g) Do such other things, not inconsistent with law, as are necessary to properly perform the functions vested in him.

(7) The deputy secretary shall have no power to buy and sell lands, incur debt or issue bonds, or to lease or mortgage property under his control except as may be provided by the general laws of the state or as hereafter specifically conferred by law upon him.

(8)(a) There shall be an assistant deputy secretary of programs and an assistant deputy secretary of operations of children and family services, each of whom shall be appointed by the deputy secretary of children and family services with consent of the Senate and shall serve at the pleasure of the deputy secretary of children and family

services at a salary fixed by the deputy secretary of children and family services, which salary shall not exceed the amount approved for the respective position by the legislature while in session. The assistant deputy secretary of programs shall serve as acting deputy secretary of children and family services in the absence of the deputy secretary of children and family services.

(b) The assistant deputy secretary of programs shall manage the division of programs and perform the duties and functions of children and family services related to program development and administration and development of rules and policies to govern the various programs of the office of children and family services.

(c) The assistant deputy secretary of operations shall manage the division of operations and perform the duties and functions of children and family services related to program service delivery for the various programs of children and family services.

§256. Undersecretary; functions; office of management and finance for health and hospitals services; division of management and finance of office of children and family services

A.(1) There shall be an undersecretary of ~~the Department of Health and Hospitals~~ health and hospitals services, who shall be appointed by the governor with the consent of the Senate and who shall serve at the pleasure of the governor at a salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session. The undersecretary shall be directly responsible to the deputy secretary for health and hospitals services and shall perform his functions under the supervision and control of the deputy secretary for health and hospitals services.

~~B.~~ (2) The undersecretary of health and hospitals services shall direct and be responsible for the functions of the office of management and finance within ~~the Department of Health and Hospitals~~ health and hospitals services. In such capacity, he shall be responsible for accounting and budget control, procurement and contract management, data processing, personnel management, and facility construction and consulting services, for ~~the department and all of its offices, including all agencies transferred to the Department of Health and Hospitals,~~ health and hospitals services, including all agencies in health and hospitals services, except as otherwise provided in this Title. He shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of the office of management and finance and the performance of its powers, duties, functions, and responsibilities, in accordance with applicable civil service laws, rules, and regulations, and with policies and rules of ~~the department~~ health and hospitals services, all subject to budgetary control and applicable laws. The undersecretary shall exercise all powers and authority granted to him in this Title subject to the overall direction and control of the deputy secretary for health and hospitals services.

~~C.~~ (3) The duties and functions of the office of management and finance of health and hospitals services and of the undersecretary of health and hospitals services shall be as provided in this Section Subsection and these duties and functions shall not be subject to change by the secretary or the deputy secretary for health and hospitals services, except that the undersecretary shall perform such additional duties and functions as are assigned by the secretary or the deputy secretary for health and hospitals services.

B.(1) There shall be an undersecretary of children and family services, who shall be appointed by the governor with the consent of the Senate and who shall serve at the pleasure of the governor at a salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session. The undersecretary shall be directly responsible to the deputy secretary for children and family services and shall perform his functions under the supervision and control of the deputy secretary for children and family services.

(2) The undersecretary shall direct and be responsible for the functions of the division of management and finance, within the office of children and family services within children and family services of the Department of Health and Hospitals and Children and Family Services. In such capacity, he shall be responsible for accounting and budget control, procurement and contract management, data processing, personnel management, grants management, and facility construction and consulting services for children and family services and all of its component entities as provided in R.S. 36:251(C)(1)(c), except as otherwise specifically provided in this Title. The undersecretary shall exercise all powers and authority granted to him in this Title subject to the overall direction and control of the deputy secretary for children and family services.

(3) The duties and functions of the division of management and finance, within the office of children and family services and of the undersecretary shall be as provided in this Subsection, and these duties and functions shall not be subject to change by the secretary nor the deputy secretary for children and family services, except that the undersecretary shall perform such additional duties and functions as are assigned by the secretary or the deputy secretary for children and family services.

§257. Assistant secretaries

A. Each office within the Department of Health and Hospitals and Children and Family Services, except the office of management and finance and the office of children and family services, shall be under the immediate supervision and direction of an assistant secretary, who shall be appointed by the governor with consent of the Senate. Each shall serve at the pleasure of the governor and shall be paid a salary which shall be fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session.

B. Except as otherwise expressly provided in this Title, the duties and functions of each office and its assistant secretary shall be determined by the appropriate deputy secretary, and all of such duties and functions shall be exercised under the direct supervision and control of the deputy secretary.

C. Except as otherwise provided in R.S. 36:801, each assistant secretary shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of his office and its programs and the performance of its powers, duties, functions, and responsibilities, in accordance with applicable civil service laws, rules, and regulations, and with policies and rules of the department, all subject to budgetary control and applicable laws.

D. Each assistant secretary shall exercise all powers and authority granted to him in this Title subject to the overall direction and control of the appropriate deputy secretary.

§258. Offices; purposes and functions

A. The purposes for which the offices of the Department of Health and Hospitals and Children and Family Services are created shall be set forth in this Section.

* * *

F. The office of aging and adult services shall be responsible for the programs and functions of the Department of Health and Hospitals and Children and Family Services related to the long-term care of the elderly and the protection and long-term care of persons with adult onset disabilities. It shall administer the residential state-operated nursing homes, the Villa Feliciana Medical Complex, the protection services program of adults from ages eighteen to fifty-nine, the department's long-term support and services programs, the State Personal Assistance Services program, the Community and Family Support Program, the Traumatic Head and Spinal Cord Injury

Trust Fund, as well as other related programs within the department. The office shall have no responsibility or authority for any programs or functions assigned by the Louisiana Revised Statutes of 1950 to the Department of Elderly Affairs.

* * *

M.(1) The office of children and family services shall be under the immediate supervision and direction of the deputy secretary for children and family services.

(2) The office of children and family services shall perform the services of the state relating to public assistance programs to provide aid to dependent children and to adults, who due to age, disability, or infirmity, are unable to adequately meet their basic needs. It shall also administer the food stamp program, child support programs, establishment of paternity programs, disaster relief grant programs for individuals and families, and such other programs as assigned by the secretary. It shall also conduct disability and other client eligibility determinations, and may conduct medical assistance client eligibility determinations. The office is authorized to enter into interagency agreements with other state agencies to conduct eligibility determinations. The office shall provide for the public child welfare functions of the state including but not limited to prevention services which promote, facilitate, and support activities to prevent child abuse and neglect; child protective services; voluntary family strengthening and support services; making permanent plans for foster children and meeting their daily maintenance needs of food, shelter, clothing, necessary physical medical services, school supplies, and incidental personal needs; and adoption placement services for foster children freed for adoption. It shall also perform the functions of the state relating to the licensing of child care facilities that do not receive federal funds under Title XIX of the Social Security Act and day care centers and agencies. The office shall issue and monitor domestic violence services contracts.

(3) After July 1, 1999, the office shall not provide for the administration of any programs related to Aid to Families with Dependent Children, public assistance, or the food stamp program except as provided under the welfare reform program required in R.S. 36:254(D)(6)(f) if such program is adopted by the legislature.

§259. Transfer of agencies and functions to Department of Health and Hospitals and Children and Family Services

B. The Health Education Authority of Louisiana (R.S. 17:3051 et seq.) is transferred to and hereafter shall be within the Department of Health and Hospitals and Children and Family Services, as provided in R.S. 36:804.

C. The following agencies, as defined by R.S. 36:3, are transferred to and hereafter shall be within the Department of Health and Hospitals and Children and Family Services, as provided in Part II of Chapter 22 of this Title:

- (1) Greenwell Springs Hospital (Greenwell Springs)
- (9) Southeast Louisiana State Hospital (Mandeville)
- (10) East Louisiana State Hospital (Jackson)
- (11) Jonesboro Charity Hospital (Jonesboro)
- (12) Central Louisiana State Hospital (Pineville)

(13) Pinecrest Supports and Services Center (R.S. 28:22.8(A)(3); R.S. 28:451.4)

(14) North Lake Supports and Services Center (R.S. 28:22.8(A)(9); R.S. 28:451.4)

(15) Repealed by Acts 2012, No. 232, §3, eff. May 22, 2012.

(16) The mental health facilities located in New Orleans, Baton Rouge, Shreveport, Monroe, Lake Charles, Alexandria, Lafayette, Metairie, Hammond, Natchitoches, Ruston, Chalmette, Houma, Harvey, Marksville, Bogalusa, Pineville, Many, New Roads, Covington, Crowley, Donaldsonville, Plaquemine, Raceland, Leesville, Norco, Mandeville, Ville Platte, Patterson, Tallulah, Columbia, Oakdale, and any other state owned or operated facilities as may be hereinafter established (R.S. 28:22.4-22.5)

(21) Northwest Supports and Services Center (R.S. 28:22.8(A)(6); R.S. 28:451.4)

(23) Villa Feliciana Medical Complex (R.S. 28:22.7; R.S. 40:2002.4; R.S. 40:2142).

(24) Repealed by Acts 2012, No. 811, §17, eff. July 1, 2012.

D. The following agencies, as defined in R.S. 36:3, are placed within the Department of Health and Hospitals and Children and Family Services and shall perform and exercise their powers, duties, functions, and responsibilities as otherwise provided by law:

(1) Louisiana state office of rural health (R.S. 40:2195.1)

(3) Louisiana State Child Death Review Panel (R.S. 40:2019)

(4) Marriage and Family Therapy Advisory Committee (R.S. 37:1104) (Established by the Louisiana Licensed Professional Counselors Board of Examiners).

(5) Nursing Home Emergency Preparedness Review Committee (R.S. 40:2009.25)

(6) Advisory Committee on Polysomnography (R.S. 37:2861 et seq.)

(7) Louisiana Birth Defects Surveillance System Advisory Board (R.S. 40:31.41 et seq.)

(8) Prescription Monitoring Program Advisory Council (R.S. 40:1001 et seq.)

(9) Health Data Panel (R.S. 40:1300.111 et seq.)

(10) The Louisiana Standards for Water Works Construction, Operation, and Maintenance Committee (R.S. 40:4.13).

E. The following agencies, as defined in R.S. 36:3, are transferred to and hereafter shall be within the Department of Health and Hospitals and Children and Family Services, as provided in R.S. 36:803:

(1) Louisiana State Board of Nursing (R.S. 37:911 et seq.)

(2) Louisiana State Board of Dentistry (R.S. 37:751 et seq.)

(3) Louisiana State Board of Social Work Examiners (R.S. 37:2701 et seq.)

(4) Louisiana State Board of Optometry Examiners (R.S. 37:1041 et seq.)

(5) Louisiana State Board of Examiners for Sanitarians (R.S. 37:2101 et seq.)

(6) Louisiana State Board of Practical Nurse Examiners (R.S. 37:961 et seq.)

(7) Louisiana Board of Chiropractic Examiners (R.S. 37:2801 et seq.)

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(8) Louisiana State Board of Medical Examiners (R.S. 12:914; R.S. 37:611 et seq.; R.S. 37:1261 et seq.)

(9) Louisiana State Board of Embalmers and Funeral Directors (R.S. 37:831 et seq.)

(10) State Board of Examiners of Psychologists (R.S. 37:2351 et seq.)

(11) Louisiana Board of Examiners for Speech-Language Pathology and Audiology (R.S. 37:2650 et seq.)

(12) Louisiana Board of Veterinary Medicine (R.S. 37:1511 et seq.)

(13) Board of Examiners for Nursing Facility Administrators (R.S. 37:2501 et seq.)

(14) Louisiana Board of Pharmacy (R.S. 37:1161 et seq.; R.S. 51:521 et seq.)

(15) Repealed by Acts 1985, No. 302, §1.

(16) Louisiana Board for Hearing Aid Dealers (R.S. 37:2441 et seq.)

(17) Radiologic Technology Board of Examiners (R.S. 37:3200 et seq.)

(20) Louisiana Physical Therapy Board (R.S. 37:2401 et seq.)

(21) The Louisiana Licensed Professional Vocational Rehabilitation Counselors Board of Examiners (R.S. 37:3441 et seq.)

(23) The Addictive Disorder Regulatory Authority (R.S. 37:3389).

(25) Louisiana Behavior Analyst Board (R.S. 37:3701 et seq.)

F. The following agencies, as defined in R.S. 36:3, previously abolished by the Executive Reorganization Act, and their powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals and Children and Family Services and shall be exercised and performed as provided in Part IV of Chapter 22 of this Title:

(1) Louisiana Health and Human Resources Administration (~~R.S. 46:1751-46:1767~~, and generally, Chapters 1 and 11 of Title 40 and all of Title 46 of the Louisiana Revised Statutes of 1950, except R.S. 46:1601-46:1608) to the extent that the cited provisions provide with respect to agencies or functions placed in or transferred to the Department of Health and Hospitals and Children and Family Services.

(9) Louisiana State Board of Health and the Louisiana Department of Health and all its subsidiary boards. (Such provisions of Title 40 of the Louisiana Revised Statutes of 1950 as are applicable to the abolished board and department)

(10) Louisiana Narcotics Rehabilitation Commission (R.S. 40:1051 et seq.)

(16) Anatomical Board (R.S. 17:2271 et seq.)

(18) Board of Commissioners of the South Louisiana Health Services District (R.S. 28:241 et seq.)

(20) Nursing Home Advisory Committee (R.S. 40:2009.1)

(21) Hospital Licensing Council (R.S. 40:2108)

G. The State Board of Electrolysis Examiners (R.S. 37:3051 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:803.

H. The Governor's Council on Physical Fitness and Sports (R.S. 40:2451 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:802.

I. The following agencies, as defined in R.S. 36:3, are placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform their powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:802:

(3) Commission on Perinatal Care and Prevention of Infant Mortality (R.S. 40:2018)

(5) Water Supply and Sewerage Systems Certification Committee (R.S. 40:1141 et seq.)

J.(1) The Louisiana Emergency Response Network Board (R.S. 40:2841 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:801.1.

(2) The Louisiana Emergency Response Network Board shall be a separate budget unit within the Department of Health and Hospitals and Children and Family Services.

K. The Medicaid Pharmaceutical and Therapeutics Committee (R.S. 46:153.3) is placed within the Department of Health and Hospitals and Children and Family Services and shall perform and exercise its powers, duties, functions, and responsibilities as provided by law.

L.(1) The Louisiana Developmental Disabilities Council (R.S. 28:750 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:801.1. The council shall have full appointing authority for all personnel purposes.

(2) The regional and state advisory councils for the community and family support system (R.S. 28:824(J)) are placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform their powers, duties, functions, and responsibilities as provided by or pursuant to law.

N. The advisory council for the program of early identification of hearing impaired infants (R.S. 46:2261 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities as provided by or pursuant to law.

O. The Louisiana Commission on Addictive Disorders (R.S. 46:2500 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:914.

P. The Physician Assistants Advisory Committee (R.S. 37:1270.1) is placed within the Department of Health and Hospitals

and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:914.

Q. The Louisiana State Board of Examiners in Dietetics and Nutrition (R.S. 37:3081 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:803.

S. The Louisiana Commission for the Deaf (R.S. 46:2351 et seq.) is hereby placed within the Department of Health and Hospitals and Children and Family Services and shall perform and exercise its powers, duties, functions, and responsibilities as provided for agencies transferred as provided in R.S. 36:802.

T. The Traumatic Head and Spinal Cord Injury Trust Fund Advisory Board (R.S. 46:2631 et seq.) is hereby placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:901 et seq.

U. The Louisiana Access to Better Care Medicaid Insurance Demonstration Project Oversight Board (R.S. 46:160.1 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of Part III of Chapter 22 of this Title.

W. The Louisiana Board of Wholesale Drug Distributors (R.S. 37:3461 et seq.) shall be placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:803.

X. The Advisory Committee on Hospice Care (R.S. 40:2190 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred as provided in Part III of Chapter 22 of this Title.

BB. The following agencies, as defined in R.S. 36:3, are placed within the Department of Health and Hospitals and Children and Family Services and shall perform and exercise their powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:914:

(1) Respiratory Care Advisory Committee (R.S. 37:3356 et seq.)

(2) The Louisiana Advisory Committee on Populations and Geographic Regions With Excessive Cancer Rates (R.S. 40:1299.90.1).

(3) The Fluoridation Advisory Board (R.S. 40:5.11(C)-(F)).

CC. The Louisiana Board of Massage Therapy (R.S. 37:3551 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:803.

DD. The Clinical Laboratory Personnel Committee (R.S. 37:1311, et seq.) is placed within the Department of Health and Hospitals and Children and Family Services under the jurisdiction of the Louisiana State Board of Medical Examiners and shall perform

and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:919.2.

EE. The Louisiana Licensed Professional Counselors Board of Examiners, R.S. 37:1101 et seq., is hereby placed within the Department of Health and Hospitals and Children and Family Services and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:803.

FF. The Medical Education Commission (R.S. 17:1519.8) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of Part III of Chapter 22 of this Title.

GG. The Louisiana Emergency Medical Services Certification Commission (R.S. 40:1231 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall perform and exercise its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:919.4.

MM. The Louisiana Medical Disclosure Panel (R.S. 40:1299.39.6) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:802.

NN. The Louisiana Sickle Cell Commission (R.S. 40:2018.3) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities as provided by or pursuant to law.

OO. The Louisiana Children's Trust Fund Board (R.S. 46:2401 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided by the provisions of R.S. 36:802.9.

PP. The following agencies, as defined in R.S. 36:3, previously abolished by the Executive Reorganization Act and their powers, duties, functions, and responsibilities are transferred to the secretary of the Department of Health and Hospitals and Children and Family Services and shall be exercised and performed as provided in Part IV of Chapter 22 of this Title:

(1) Louisiana Health and Human Resources Administration (Generally Chapters 1 and 11 of Title 40 and all of Title 46 of the Louisiana Revised Statutes of 1950, except R.S. 46:1601-1608) to the extent that the cited provisions provide with respect to agencies or functions placed in or transferred to the Department of Children and Family Services

(2) State Youth Planning Advisory Commission (Act 430 of the 1975 Regular Session)

(3) State Department of Public Welfare (Such provisions of Title 46 of the Louisiana Revised Statutes of 1950 as apply to the abolished department)

(4) State Board of Public Welfare (Such provisions of Title 46 of the Louisiana Revised Statutes of 1950 as apply to the abolished board)

QQ. The Child Poverty Prevention Council for Louisiana (R.S. 46:2801-2802) is transferred to and hereafter placed within the Department of Health and Hospitals and Children and Family

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Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:801.

RR. The Council on the Status of Grandparents Raising Grandchildren (R.S. 46:2911 et seq.) is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with the provisions of R.S. 36:801.

SS. The Louisiana Advisory Council on Child Care and Early Education is placed within the Department of Health and Hospitals and Children and Family Services and shall exercise and perform its powers, duties, functions, and responsibilities as provided in R.S. 46:1401 et seq., particularly R.S. 46:1414.

AMENDMENT NO. 4

On page 3, line 10, after "R.S. 36:4(A)(10)" delete the remainder of the line and insert in lieu thereof a comma "," and "254(A)(9) through (14), (B)(5) through (7), and (9), and (D), and Chapter 10-A of Title 36 of the Louisiana Revised Statutes of 1950, comprised of R.S. 36:471 through 478, are hereby repealed in their entirety."

AMENDMENT NO. 5

On page 3, delete line 14 and on line 15, delete "Children and Family Services" insert in lieu thereof "the capacity of the executive branch of state government"

AMENDMENT NO. 6

On page 3, line 17, delete "by the department"

AMENDMENT NO. 7

On page 3, between lines 21 and 22, insert:

"Section 4.(A) On August 1, 2014, the Department of Health and Hospitals and the Department of Children and Family Services, hereafter in this Section referred to as the "prior departments" or individually as a "prior department", shall be abolished and the Department of Health and Hospitals and Children and Family Services, hereafter in this Section referred to as the "new department", shall be created. All unfinished business, references in laws and documents, employees, property, obligations, and books and records of the prior departments shall be transferred as provided in this Section. Upon the abolition of the prior departments, any pending or unfinished business of the prior departments shall be taken over and be completed by the new department with the same power and authorization as that of the prior departments, with business of the Department of Health and Hospitals to be taken over and completed by health and hospitals services of the new department and business of the Department of Children and Family Services to be taken over and completed by children and family services of the new department. The new department through health and hospitals services and children and family services shall be the successor in every way to the prior departments for the purpose of completing such business. Any reference in laws and documents to either of the prior departments shall be deemed to apply to the new department and to health and hospitals services or children and family services as the case may be. Any legal proceeding to which either of the prior departments is a party and which is filed, initiated, or pending before any court on the effective date of this Section, and all documents involved in or affected by said legal proceeding, shall retain their effectiveness and shall be continued in the name of the new department through health and hospitals services or children and family services as the

case may be, and the new department through health and hospitals services or children and family services as the case may be shall be substituted for the prior departments without necessity for amendment of any document. This Act shall not be construed so as to impair the effectiveness of any rule or policy of either of the prior departments and any such rule or policy shall remain effective as provided therein or until changed in accordance with law. This Act shall not be construed so as to impair the contractual or other obligations of either of the prior departments or of the state of Louisiana. All obligations of the prior departments shall be the obligations of the new department. The new department through health and hospitals services or children and family services as the case may be shall be the successor in every way to the prior departments, including all of their obligations and debts. All appropriations, dedications, and allocations of revenues and sources of revenues heretofore made to or for either of the prior departments shall continue in the same manner, to the same extent, and for the same purposes as were provided prior to the enactment of this Act, unless and until other provision is made therefor. All books, papers, records, money, actions, and other property of every kind, movable and immovable, real and personal, heretofore possessed, controlled, or used by either of the prior departments is hereby transferred to the new department through health and hospitals services or children and family services as the case may be. All employees heretofore engaged in the performance of duties of either of the prior departments, insofar as practicable and necessary, are transferred to the new department through health and hospitals services or children and family services as the case may be and insofar as practicable and necessary shall continue to perform the duties heretofore performed, subject to policies and procedures of the new department through health and hospitals services or children and family services as the case may be, applicable state civil service laws, rules, and regulations, and other applicable laws. Subject to such laws and rules, positions in the unclassified service shall remain in the unclassified service.

(B) When the Department of Health and Hospitals and the Department of Children and Family Services are abolished and the Department of Health and Hospitals and Children and Family Services is created, the office of public health, the office of behavioral health, the office for citizens with developmental disabilities, the office of aging and adult services, and the office of children and family services of the prior departments, referred to in this Subsection as prior offices, shall be continued as offices of the new department, referred to in this Subsection as new offices. The office of management and finance for health and hospitals services of the new department, referred to in this Subsection as a new office, shall be the successor of the office of management and finance of the Department of Health and Hospitals, referred to in this Subsection as a prior office. The new offices shall each be the successor of the prior office. The new offices shall have the powers, duties, functions, and responsibilities as provided in this Act. All unfinished business, references in laws and documents, property, and obligations of the prior offices shall be transferred as provided in this Subsection. Upon the effective date of this Act, any pending or unfinished business of a prior office shall be taken over and be completed by the successor office with the same power and authorization as that of the prior office and the new office shall be the successor in every way to the prior office for the purpose of completing such business. Any reference in laws and documents to any prior office shall be deemed to apply to the new office. Any legal proceeding to which a prior office is a party and which is filed, initiated, or pending before any court on the effective date of this Act, and all documents involved in or affected by said legal proceeding, shall retain their effectiveness and shall be continued in the name of the new office. All further legal proceedings and documents in the continuation, disposition, and enforcement of such legal proceeding shall be in the name of the new office, and the new office shall be substituted for the prior office or offices without necessity for amendment of any document. This Act shall not be construed so as to impair the effectiveness of any rule or policy of either of the prior offices and any such rule or policy shall remain effective as provided therein or until changed in accordance

with law. This Act shall not be construed so as to impair the contractual or other obligations of a prior office or of the state of Louisiana. All obligations of a prior office shall be the obligations of the respective successor office. The new office shall be the successor in every way to the prior office, including all of its obligations and debts. All dedications and allocations of revenues and sources of revenues heretofore made to or for any prior office shall continue in the same manner, to the same extent, and for the same purposes as were provided prior to the enactment of this Act, unless and until other provision is made therefor.

(C) The deputy secretary of health and hospitals services shall be the successor of the secretary of the Department of Health and Hospitals and the deputy secretary for children and family services shall be the successor of the secretary of the Department of Children and Family Services. Such deputy secretaries are referred to in this Subsection as the new officers and such secretaries of the prior departments are referred to in this Subsection as the prior officers. The new officers shall each be the successor of the respective prior officer. The new officers shall have the powers, duties, functions, and responsibilities as provided in this Act. All unfinished business, references in laws and documents, property, and obligations of the prior officers shall be transferred as provided in this Subsection. Upon the effective date of this Act, any pending or unfinished business of a prior officer shall be taken over and be completed by the successor officer with the same power and authorization as that of the prior officer and the new officer shall be the successor in every way to the prior office for the purpose of completing such business. Any reference in laws and documents to any prior officer shall be deemed to apply to the new officer. Any legal proceeding to which a prior officer is a party and which is filed, initiated, or pending before any court on the effective date of this Act, and all documents involved in or affected by said legal proceeding, shall retain their effectiveness and shall be continued in the name of the new officer. All further legal proceedings and documents in the continuation, disposition, and enforcement of such legal proceeding shall be in the name of the new officer, and the new officer shall be substituted for the prior officer without necessity for amendment of any document.

(D) This Act shall not be construed or applied in any way which will prevent full compliance by the state, or any department, office, or agency thereof, with the requirements of any act of the Congress of the United States or any regulation made thereunder by which federal aid or other federal assistance has been or hereafter is made available.

(E) As used in the Louisiana Revised Statutes of 1950 (as amended), the Code of Civil Procedure, the Code of Criminal Procedure, the Code of Evidence, and the Children's Code, "Department of Health and Hospitals", or "Department of Children and Family Services" shall mean the "Department of Health and Hospitals and Children and Family Services". The Louisiana State Law Institute shall change all references to the Department of Health and Hospitals, the Department of Children and Family Services, or to both departments that remain in such bodies of law from the Department of Health and Hospitals, the Department of Children and Family Services, or both to the Department of Health and Hospitals and Children and Family Services, except historic references to such departments in provisions having no prospective application.

(F) The Louisiana State Law Institute shall change references in such provisions to the secretary of health and hospitals to the deputy secretary for health and hospitals and references in such provisions to the secretary of children and family services to the deputy secretary for children and family services and shall make appropriate changes in references to other offices and officers of the former departments to the appropriate offices and officers of the new department. "

AMENDMENT NO. 8

On page 3, delete lines 22 through 25, and at the beginning of line 26, change "(B)" to "Section 5."

AMENDMENT NO. 9

On page 4, line 1, change "Section 5." to "Section 6."

Rep. Harrison moved the adoption of the amendments.

Rep. Tim Burns objected.

By a vote of 57 yeas and 38 nays, the amendments were adopted.

Motion

Rep. Simon moved that the bill be recommitted to the Committee on Health and Welfare.

Rep. Harrison objected.

By a vote of 47 yeas and 48 nays, the House refused to recommit the bill to the Committee on Health and Welfare.

Rep. Harrison moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Geymann	Montoucet
Adams	Gisclair	Morris, Jim
Anders	Guinn	Norton
Armes	Harrison	Ortego
Arnold	Havard	Pierre
Barrow	Hazel	Ponti
Berthelot	Henry	Pope
Billiot	Hill	Price
Bishop, S.	Hollis	Pugh
Brossett	Howard	Pylant
Brown	Hunter	Reynolds
Burns, H.	Huval	Richard
Burrell	Jackson	Ritchie
Carmody	James	Schexnayder
Chaney	Jefferson	Smith
Connick	Johnson	St. Germain
Cox	Jones	Talbot
Cromer	Lambert	Thibaut
Danahay	LeBas	Thierry
Dixon	Leger	Whitney
Dove	Leopold	Williams, P.
Edwards	Lopinto	Woodruff
Franklin	Lorusso	
Gaines	Mack	
Total - 70		

NAYS

Badon	Harris	Morris, Jay
Barras	Hodges	Schroder
Broadwater	Hoffmann	Seabaugh
Burford	Honore	Shadoin
Burns, T.	Ivey	Simon
Carter	Landry, N.	Stokes
Champagne	Landry, T.	Thompson
Fannin	Miller	Williams, A.
Garofalo	Moreno	Willmott
Total - 27		

ABSENT

Mr. Speaker	Greene	Pearson
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Bishop, W. Guillory Robideaux
Foil Hensgens
Total - 8

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Harrison moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 1257 (Substitute for House Bill No. 327 by Representative Lopinto)—
BY REPRESENTATIVE LOPINTO
AN ACT

To amend and reenact Code of Criminal Procedure Articles 896 and 897, relative to probation; to provide for a procedure by which conditions of probation may be modified, changed, or discharged; to provide for a procedure by which a defendant's probation may be terminated; and to provide for related matters.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 1257 by Representative Lopinto

AMENDMENT NO. 1

On page 1, line 15, following "(2)" and before "The" change "After a contradictory hearing with the state set by the court." to "A contradictory hearing with the state, set by the court, has been held."

AMENDMENT NO. 2

On page 2, line 10, following "(2)" and before "The" change "After a contradictory hearing with the state set by the court." to "A contradictory hearing with the state, set by the court, has been held."

On motion of Rep. Barrow, the amendments were adopted.

Rep. Lopinto moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Abramson	Geymann	Miller
Adams	Gisclair	Montoucet
Anders	Greene	Moreno
Arnes	Guillory	Morris, Jay
Arnold	Harris	Morris, Jim
Badon	Harrison	Norton
Barras	Havard	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hensgens	Pope
Bishop, S.	Hill	Price
Bishop, W.	Hodges	Pugh
Broadwater	Hoffmann	Pylant
Brossett	Hollis	Reynolds
Brown	Honore	Richard
Burford	Howard	Ritchie
Burns, H.	Hunter	Schexnayder

Burns, T.	Huval	Schroder
Burrell	Ivey	Seabaugh
Carmody	Jackson	Simon
Carter	James	Smith
Champagne	Jefferson	St. Germain
Chaney	Johnson	Stokes
Connick	Jones	Talbot
Cox	Lambert	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Fannin	Leger	Williams, A.
Foil	Leopold	Williams, P.
Franklin	Lopinto	Willmott
Gaines	Lorusso	Woodruff
Garofalo	Mack	

Total - 98

NAYS

Total - 0

ABSENT

Mr. Speaker	Guinn	Shadoin
Dove	Ortego	
Edwards	Robideaux	

Total - 7

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Lopinto moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 713—
BY REPRESENTATIVE GREENE
AN ACT

To amend and reenact R.S. 47:633(9)(d)(v) and to enact R.S. 633(7)(c)(iii)(cc), relative to severance tax; to provide with respect to the payment of severance tax by certain well operators; to provide for certain requirements; to provide for applicability; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 713 by Representative Greene

AMENDMENT NO. 1

On page 2, line 1, delete "Louisiana"

AMENDMENT NO. 2

On page 3, line 1, delete "Louisiana"

On motion of Rep. Barrow, the amendments were adopted.

Rep. Greene sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Greene to Engrossed House Bill No. 713 by Representative Greene

AMENDMENT NO. 1

On page 1, line 2, after "enact R.S." and before "633(7)(c)(iii)(cc)," insert "47:"

AMENDMENT NO. 2

On page 1, at the beginning of line 8, insert "47:"

On motion of Rep. Greene, the amendments were adopted.

Motion

Rep. Greene moved that the bill, as amended, be recommitted to the Committee on Appropriations, which motion was agreed to.

HOUSE BILL NO. 12—

BY REPRESENTATIVE SMITH

AN ACT

To amend and reenact R.S. 14:89 and 89.1(A) and to enact R.S. 14:89.1(C), relative to crime against nature; to delete certain provisions of crime against nature held to be unconstitutional; to amend the elements of crime against nature and aggravated crime against nature relative to the repeal of the unconstitutional provision; and to provide for related matters.

Read by title.

Rep. Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Arnold	Gaines	Montoucet
Badon	Hazel	Moreno
Bishop, W.	Honore	Pierre
Brossett	Hunter	Price
Burrell	James	Smith
Dixon	Jefferson	St. Germain
Edwards	Landry, N.	Thierry
Foil	Landry, T.	Williams, P.
Franklin	Leger	Woodruff
Total - 27		

NAYS

Adams	Greene	Miller
Anders	Guillory	Morris, Jay
Armes	Guinn	Morris, Jim
Barras	Harris	Pearson
Berthelot	Harrison	Ponti
Billiot	Havard	Pope
Bishop, S.	Henry	Pugh
Broadwater	Hensgens	Pylant
Brown	Hill	Reynolds
Burns, H.	Hodges	Richard
Burns, T.	Hoffmann	Ritchie
Carmody	Hollis	Schexnayder
Carter	Howard	Schroder
Champagne	Huval	Seabaugh
Chaney	Ivey	Shadoin
Connick	Johnson	Simon
Cromer	Jones	Stokes
Danahay	Lambert	Talbot
Dove	LeBas	Thompson
Fannin	Leopold	Whitney
Garofalo	Lopinto	Willmott

Geymann
Gisclair
Total - 67

Lorusso
Mack

ABSENT

Mr. Speaker
Abramson
Barrow
Burford
Total - 11

Cox
Jackson
Norton
Ortego

Robideaux
Thibaut
Williams, A.

The Chair declared the above bill failed to pass.

Rep. Hodges moved to reconsider the vote by which the above bill failed to pass, and, on her own motion, the motion to reconsider was laid on the table.

Speaker Kleckley in the Chair

HOUSE BILL NO. 159—

BY REPRESENTATIVE SMITH

AN ACT

To amend and reenact R.S. 15:574.4(B)(1), relative to parole eligibility; to amend provisions of law regarding parole eligibility for crimes of violence; and to provide for related matters.

Read by title.

Rep. Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Badon	Guillory	Price
Barrow	Hunter	Smith
Bishop, W.	Jackson	St. Germain
Brossett	James	Thierry
Burrell	Jefferson	Williams, A.
Cox	Landry, T.	Williams, P.
Dixon	Montoucet	Woodruff
Franklin	Norton	
Gaines	Pierre	
Total - 25		

NAYS

Mr. Speaker	Foil	Mack
Adams	Garofalo	Miller
Anders	Guinn	Morris, Jay
Armes	Harris	Morris, Jim
Barras	Harrison	Pearson
Berthelot	Havard	Ponti
Billiot	Hazel	Pope
Bishop, S.	Henry	Pugh
Broadwater	Hensgens	Pylant
Brown	Hodges	Reynolds
Burford	Hoffmann	Richard
Burns, H.	Hollis	Ritchie
Burns, T.	Howard	Schexnayder
Carmody	Huval	Schroder
Carter	Ivey	Seabaugh
Champagne	Johnson	Shadoin
Chaney	Jones	Simon
Connick	Lambert	Stokes
Cromer	Landry, N.	Talbot
Danahay	LeBas	Thibaut
Dove	Leopold	Thompson
Edwards	Lopinto	Whitney
Fannin	Lorusso	Willmott

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Total - 69

ABSENT

Abramson	Greene	Moreno
Arnold	Hill	Ortego
Geymann	Honore	Robideaux
Gisclair	Leger	
Total - 11		

The Chair declared the above bill failed to pass.

Rep. Harris moved to reconsider the vote by which the above bill failed to pass, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 196—

BY REPRESENTATIVE SMITH

AN ACT

To amend and reenact R.S. 15:1111(I), relative to work release; to provide for the eligibility to participate in the Department of Public Safety and Corrections work release program; to extend the length of time certain offenders may participate in work release programs; and to provide for related matters.

Read by title.

Rep. Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Moreno
Anders	Gisclair	Pierre
Armes	Guillory	Price
Arnold	Harris	Pylant
Badon	Harrison	Reynolds
Barrow	Havard	Richard
Bishop, W.	Hill	Ritchie
Broadwater	Howard	Shadoin
Brossett	Hunter	Smith
Burrell	Jackson	St. Germain
Carmody	James	Thierry
Cox	Jefferson	Williams, A.
Danahay	Jones	Williams, P.
Dixon	Landry, T.	Woodruff
Edwards	Miller	
Franklin	Montoucet	
Total - 46		

NAYS

Barras	Henry	Pearson
Berthelot	Hensgens	Ponti
Billiot	Hoffmann	Pope
Bishop, S.	Hollis	Pugh
Brown	Huval	Schexnayder
Burford	Ivey	Schroder
Burns, H.	Johnson	Seabaugh
Carter	Lambert	Simon
Champagne	Landry, N.	Stokes
Chaney	Leopold	Talbot
Connick	Lopinto	Thompson
Cromer	Lorusso	Whitney
Dove	Mack	Willmott
Foil	Morris, Jay	
Hazel	Morris, Jim	
Total - 43		

ABSENT

Abramson	Greene	Norton
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Adams
Burns, T.
Fannin
Garofalo
Geymann
Total - 16

Guinn
Hodges
Honore
LeBas
Leger

Ortego
Robideaux
Thibaut

The Chair declared the above bill failed to pass.

Motion to reconsider pending.

Consent to Correct a Vote Record

Rep. Hoffmann requested the House consent to correct his vote on final passage of House Bill No. 196 from yea to nay, which consent was unanimously granted.

HOUSE BILL NO. 213—

BY REPRESENTATIVE MILLER

AN ACT

To amend and reenact R.S. 18:1532(B) and to enact R.S. 18:1532(A)(1)(f) and (g), relative to the Campaign Finance Disclosure Act; to provide relative to the expenditures required to be disclosed on the election day expenditure report; to provide relative to the requirements of filing the report; to provide relative to certain exemptions; and to provide for related matters.

Read by title.

Rep. Miller moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Miller
Abramson	Garofalo	Montoucet
Adams	Gisclair	Moreno
Anders	Greene	Morris, Jay
Armes	Guillory	Morris, Jim
Arnold	Harris	Ortego
Badon	Harrison	Pearson
Barras	Havard	Pierre
Barrow	Hazel	Ponti
Berthelot	Henry	Pope
Billiot	Hensgens	Price
Bishop, S.	Hill	Pugh
Bishop, W.	Hodges	Pylant
Broadwater	Hoffmann	Reynolds
Brossett	Hollis	Richard
Brown	Honore	Ritchie
Burford	Howard	Schexnayder
Burns, H.	Hunter	Schroder
Burns, T.	Huval	Seabaugh
Burrell	Ivey	Shadoin
Carmody	James	Simon
Carter	Jefferson	Smith
Champagne	Johnson	St. Germain
Chaney	Jones	Stokes
Connick	Lambert	Talbot
Cox	Landry, N.	Thibaut
Cromer	Landry, T.	Thierry
Danahay	LeBas	Thompson
Dixon	Leger	Whitney
Edwards	Leopold	Williams, A.
Fannin	Lopinto	Williams, P.
Foil	Lorusso	Willmott
Franklin	Mack	Woodruff
Total - 99		

NAYS

Total - 0

ABSENT

Dove	Guinn	Norton
Geymann	Jackson	Robideaux
Total - 6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Miller moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 465—

BY REPRESENTATIVE BROADWATER
AN ACT

To enact R.S. 47:1967(H), relative to ad valorem tax; to provide with respect to ad valorem taxes imposed on certain shares of bank stock; to provide for requirements of the Louisiana Legislature; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Berthelot sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Berthelot to Engrossed House Bill No. 465 by Representative Broadwater

AMENDMENT NO. 1

On page 1, line 16, after "while" and before "the obligations" delete "taking into account" and insert "identifying a revenue source to meet"

On motion of Rep. Berthelot, the amendments were adopted.

Rep. Broadwater moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Miller
Abramson	Garofalo	Montoucet
Adams	Geymann	Moreno
Anders	Gisclair	Morris, Jay
Armes	Greene	Morris, Jim
Arnold	Guillory	Norton
Badon	Harris	Ortego
Barras	Harrison	Pearson
Barrow	Hazel	Pierre
Berthelot	Henry	Ponti
Billiot	Hensgens	Pope
Bishop, S.	Hill	Price
Broadwater	Hodges	Pugh
Brossett	Hoffmann	Pylant
Brown	Hollis	Reynolds
Burford	Honore	Richard
Burns, H.	Howard	Ritchie
Burns, T.	Hunter	Schexnayder

Burrell	Huval	Schroder
Carmody	Ivey	Seabaugh
Carter	Jackson	Shadoin
Champagne	James	St. Germain
Chaney	Jefferson	Stokes
Connick	Johnson	Talbot
Cox	Jones	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Dove	Leger	Williams, A.
Edwards	Leopold	Williams, P.
Fannin	Lopinto	Willmott
Foil	Lorusso	
Franklin	Mack	

Total - 97

NAYS

Total - 0

ABSENT

Bishop, W.	Lambert	Smith
Guinn	Robideaux	Woodruff
Havard	Simon	
Total - 8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Broadwater moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

HOUSE BILL NO. 803—

BY REPRESENTATIVE BERTHELOT
AN ACT

To enact R.S. 23:1036(M), relative to workers' compensation; to provide with respect to coverage for volunteer firefighters; to provide rule making authority; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Berthelot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Mack
Abramson	Garofalo	Miller
Adams	Geymann	Montoucet
Anders	Gisclair	Moreno
Armes	Greene	Morris, Jay
Arnold	Guillory	Morris, Jim
Badon	Harris	Norton
Barras	Harrison	Pearson
Barrow	Havard	Pierre
Berthelot	Hazel	Pope
Billiot	Henry	Price
Bishop, S.	Hensgens	Pugh
Bishop, W.	Hill	Pylant
Broadwater	Hodges	Reynolds
Brossett	Hoffmann	Richard
Brown	Hollis	Ritchie
Burford	Honore	Schexnayder
Burns, H.	Howard	Schroder

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Burns, T.	Hunter	Seabaugh
Burrell	Huval	Shadoin
Carmody	Ivey	Simon
Carter	Jackson	Smith
Champagne	James	St. Germain
Chaney	Jefferson	Stokes
Connick	Johnson	Talbot
Cox	Jones	Thibaut
Cromer	Lambert	Thierry
Danahay	Landry, N.	Thompson
Dixon	Landry, T.	Whitney
Dove	LeBas	Williams, A.
Edwards	Leger	Williams, P.
Fannin	Leopold	Willmott
Foil	Lopinto	Woodruff
Franklin	Lorusso	

Total - 101

NAYS

Total - 0

ABSENT

Guinn	Ponti
Ortego	Robideaux

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Berthelot moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Notice of Intention to Call

Pursuant to House Rule No. 8.26(A), Rep. Schexnayder gave notice of his intention to call House Bill No. 1028 from the calendar on Wednesday, April 16, 2014.

HOUSE BILL NO. 602—

BY REPRESENTATIVES ABRAMSON AND LEGER
AN ACT

To enact Subpart PP of Part 1 of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:120.231, relative to state individual income tax return checkoffs for certain donations; to provide for a method for individuals to donate all or a portion of any refund due to them to The Lighthouse for the Blind in New Orleans, Inc.; to provide for the administration and disbursement of donated monies; to provide for reporting; to provide for an effective date; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 602 by Representative Abramson

AMENDMENT NO. 1

On page 1, line 21, following "z" and before "refund" change "In this case the" to "The"

On motion of Rep. Barrow, the amendments were adopted.

Rep. Abramson moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Gaines	Miller
Abramson	Garofalo	Montoucet
Adams	Geymann	Moreno
Anders	Gisclair	Morris, Jay
Armes	Greene	Morris, Jim
Arnold	Guillory	Norton
Badon	Harris	Pearson
Barras	Harrison	Pierre
Barrow	Havard	Ponti
Berthelot	Hazel	Pope
Billiot	Henry	Price
Bishop, S.	Hensgens	Pugh
Bishop, W.	Hill	Pylant
Broadwater	Hodges	Reynolds
Brossett	Hoffmann	Richard
Brown	Hollis	Ritchie
Burford	Honore	Schexnayder
Burns, H.	Howard	Schroder
Burns, T.	Hunter	Seabaugh
Burrell	Huval	Shadoin
Carmody	Ivey	Simon
Carter	James	Smith
Champagne	Jefferson	St. Germain
Chaney	Johnson	Stokes
Connick	Jones	Talbot
Cox	Lambert	Thibaut
Cromer	Landry, N.	Thierry
Danahay	Landry, T.	Thompson
Dixon	LeBas	Whitney
Dove	Leger	Williams, A.
Edwards	Leopold	Williams, P.
Fannin	Lopinto	Willmott
Foil	Lorusso	Woodruff
Franklin	Mack	

Total - 101

NAYS

Total - 0

ABSENT

Guinn	Ortego
Jackson	Robideaux

Total - 4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Abramson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Motion

Rep. Pylant moved to call House Bill No. 961 from the calendar.

Rep. Thierry objected.

By a vote of 65 yeas and 21 nays, the bill was called from the calendar.

HOUSE BILL NO. 961—
BY REPRESENTATIVE PYLANT

AN ACT

To enact R.S. 32:66, relative to labeling speed traps; to provide for the designation of a local governing authority which derives a certain percentage of its income from traffic citations as a speed trap; to require the Department of Transportation and Development to develop certain signs; to provide that the signs be posted in certain areas of the community; to provide for penalties; to provide for definitions; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Pylant sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pylant to Engrossed House Bill No. 961 by Representative Pylant

AMENDMENT NO. 1

Delete House Floor Amendment Nos. 4, 5, and 6 proposed by Representative Thierry and adopted by the House on April 1, 2014

AMENDMENT NO. 2

On page 1, line 12, after "issued" insert "exclusively along state and federal highways"

AMENDMENT NO. 3

On page 1, delete lines 14 through 17 in their entirety

AMENDMENT NO. 4

On page 1, line 18, change "C" to "B"

AMENDMENT NO. 5

On page 2, line 1, after "municipality" insert "along state and federal highways"

AMENDMENT NO. 6

On page 2, line 3, change "D" to "C"

AMENDMENT NO. 7

On page 2, line 13, change "E" to "D"

On motion of Rep. Pylant, the amendments were adopted.

Rep. Pylant sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Pylant to Engrossed House Bill No. 961 by Representative Pylant

AMENDMENT NO. 1

On page 2, line 2, after "to the" delete the remainder of the line in its entirety and insert "New Opportunities Waiver (NOW) program which provides support and services to people with developmental disabilities and their families."

On motion of Rep. Pylant, the amendments were adopted.

Speaker Pro Tempore Leger in the Chair

Suspension of the Rules

On motion of Rep. Arnold, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

Speaker Kleckley in the Chair

Rep. Nancy Landry sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Nancy Landry to Engrossed House Bill No. 961 by Representative Pylant

AMENDMENT NO. 1

On page 1, line 6, after "restitution;" and before "and" insert "to provide for exceptions;"

AMENDMENT NO. 2

On page 2, between lines 12 and 13, insert the following:

"E. The provisions of this Section shall not apply to any town or village where the state or federal highway is the main roadway in that town or village."

AMENDMENT NO. 3

On page 2, at the beginning of line 13, change "E" to "F."

Rep. Nancy Landry moved the adoption of the amendments.

Rep. Pylant objected.

By a vote of 29 yeas and 60 nays, the amendments were rejected.

Rep. Shadoin sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Shadoin to Engrossed House Bill No. 961 by Representative Pylant

AMENDMENT NO. 1

On page 2, line 1, after "municipality" insert the following:

"that are in excess of the fifty percent of the local governing authority's income or revenue"

On motion of Rep. Shadoin, the amendments were adopted.

Motion

Rep. Thierry moved that the bill be recommitted to the Committee on Appropriations.

Rep. Pylant objected.

By a vote of 34 yeas and 60 nays, the House refused to recommit the bill to the Committee on Appropriations.

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Rep. Pylant moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Geymann	Miller
Abramson	Gisclair	Morris, Jay
Adams	Greene	Morris, Jim
Arnold	Harrison	Ponti
Barrow	Havard	Pylant
Bishop, S.	Henry	Richard
Burford	Hill	Seabaugh
Burns, H.	Hoffmann	Shadoin
Burns, T.	Hollis	Simon
Carmody	Howard	Stokes
Carter	Ivey	Talbot
Chaney	Jones	Thibaut
Danahay	Lambert	Thompson
Foil	Leopold	Whitney
Gaines	Lopinto	Willmott
Garofalo	Lorusso	
Total - 47		

NAYS

Anders	Guinn	Norton
Armes	Harris	Ortego
Badon	Hazel	Pearson
Barras	Hensgens	Pierre
Berthelot	Honore	Pope
Billiot	Hunter	Price
Bishop, W.	Huval	Pugh
Brossett	Jackson	Reynolds
Brown	James	Ritchie
Burrell	Jefferson	Schexnayder
Champagne	Johnson	Schroder
Connick	Landry, N.	Smith
Cox	Landry, T.	Thierry
Dove	LeBas	Williams, A.
Edwards	Leger	Williams, P.
Fannin	Mack	Woodruff
Franklin	Montoucet	
Guillory	Moreno	
Total - 52		

ABSENT

Broadwater	Dixon	Robideaux
Cromer	Hodges	St. Germain
Total - 6		

The Chair declared the above bill failed to pass.

Rep. Thierry moved to reconsider the vote by which the above bill failed to pass, and, on her own motion, the motion to reconsider was laid on the table.

Recess

On motion of Rep. Leger, the Speaker declared the House at recess upon the call of the House.

After Recess

Speaker Kleckley called the House to order at 5:19 P.M.

House Business Resumed

HOUSE BILL NO. 917—

BY REPRESENTATIVES GAROFALO, HENRY, IVEY, SEABAUGH, SIMON, AND STOKES

AN ACT

To amend and reenact Code of Civil Procedure Article 1732, relative to limitations on jury trials; to remove the cause of action threshold amount required to be entitled to a jury trial; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Garofalo sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Garofalo and Abramson to Engrossed House Bill No. 917 by Representative Garofalo

AMENDMENT NO. 1

On page 1, line 2, change "Article 1732" to "Articles 1732, 1734, 1734.1(A), and 1874"

AMENDMENT NO. 2

On page 1, line 4, after "trial;" and before "and" insert the following:

"to provide additional limitations on jury trials in suits transferred from courts of limited jurisdiction; to provide procedures for fixing and paying of the bond or cash deposit for costs of a trial by jury;"

AMENDMENT NO. 3

On page 1, line 6, change "Article 1732 is" to "Articles 1732, 1734, 1734.1(A), and 1874 are"

AMENDMENT NO. 4

On page 2, after line 19, add the following:

"(6) An action transferred from a court of limited jurisdiction, unless the party who filed the motion to transfer posts the bond or makes the deposit for costs pursuant to Articles 1734 or 1734.1.

* * *

Art. 1734. Fixing the bond; calling the jury venire

A. Except as otherwise provided by R.S. 13:3105 et seq., ~~when the case has been set for trial, upon the filing of a pleading demanding a trial by jury, including the filing of an action transferred from a court of limited jurisdiction pursuant to Article 4873(3), the court shall fix the amount of the bond to cover all costs related to the trial by jury and shall fix the time for filing the bond, which shall be no later than sixty days prior to trial.~~ Notice of the fixing of the bond shall be served on all parties. The bond shall be filed within thirty days after service of the notice of the fixing of the bond. If the bond is not filed timely, any other party shall have an additional ten days to file the bond.

B. ~~When the bond has been filed~~ Sixty days prior to trial, the clerk of court shall order the jury commission to draw a sufficient number of jurors to try and determine the cause, such drawing to be made in accordance with R.S. 13:3044.

Art. 1734.1. Cash deposit; procedure

A. ~~When the case has been set for trial, Upon the filing of a pleading demanding a trial by jury, including the filing of an action transferred from a court of limited jurisdiction pursuant to Article~~

4873(3), the court may order, in lieu of the bond required in Article 1734, a deposit for costs, which shall be a specific cash amount, ~~and the court shall fix the time for making the deposit, which shall be no later than thirty days prior to trial.~~ The deposit shall include sufficient funds for payment of all costs associated with a jury trial, including juror fees and expenses and charges of the jury commission, clerk of court, and sheriff. The required deposit shall not exceed two thousand dollars for the first day and four hundred dollars per day for each additional day the court estimates the trial will last. Notice of the fixing of the deposit shall be served on all parties. The deposit shall be made within thirty days after service of the notice of the fixing of the deposit. If the deposit is not timely made, any other party shall have an additional ten days to make the required deposit. Failure to post the cash deposit shall constitute a waiver of a trial by jury. However, no cash deposit shall be required of an applicant for a jury trial under the provisions of this Article if waived or an order is rendered, pursuant to Chapter 5 of Title I of Book IX of the Code of Civil Procedure, permitting the applicant to litigate or continue to litigate without payment of costs in advance or furnishing security therefor.

* * *

Art. 4874. Withdrawal of demand for jury trial after transfer

A motion to transfer pursuant to this Chapter Filing of the action as a new proceeding by the clerk in district court pursuant to Article 4873(3) shall constitute a demand by the removing party for trial by jury. He The removing party may not subsequently withdraw the demand without the approval of the district court and the other party or parties."

Rep. Garofalo moved the adoption of the amendments.

Rep. Edwards objected.

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Foil	Leopold
Abramson	Franklin	Lorusso
Adams	Garofalo	Morris, Jay
Barras	Geymann	Ponti
Berthelot	Greene	Pope
Bishop, S.	Guinn	Pylant
Burford	Harris	Schexnayder
Burns, T.	Havard	Schroder
Carmody	Henry	Seabaugh
Carter	Hensgens	Shadoin
Champagne	Hoffmann	Simon
Chaney	Hollis	Stokes
Cromer	Huval	Talbot
Danahay	Ivey	Thibaut
Dove	Jones	Whitney
Fannin	Landry, N.	Williams, A.
Total - 48		

NAYS

Anders	Guillory	Moreno
Arnes	Hazel	Morris, Jim
Arnold	Hill	Norton
Badon	Honore	Ortego
Barrow	Howard	Pierre
Billiot	Hunter	Price
Bishop, W.	Jackson	Reynolds
Broadwater	James	Richard
Brossett	Jefferson	Ritchie

Brown	Johnson	Smith
Burns, H.	Lambert	St. Germain
Burrell	Landry, T.	Thierry
Connick	LeBas	Thompson
Cox	Leger	Williams, P.
Dixon	Lopinto	Willmott
Edwards	Mack	Woodruff
Gaines	Miller	
Gisclair	Montoucet	
Total - 52		

ABSENT

Harrison	Pearson	Robideaux
Hodges	Pugh	
Total - 5		

The amendments were rejected.

Consent to Correct a Vote Record

Rep. Seabaugh requested the House consent to correct his vote on the amendments proposed by Rep. Garofalo to House Bill No. 917 from nay to yea, which consent was unanimously granted.

Rep. Stuart Bishop sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Stuart Bishop and Garofalo to Engrossed House Bill No. 917 by Representative Garofalo

AMENDMENT NO. 1

On page 1, line 2, after "Article" and before the comma "," change "1732" to "1732(1)"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 in their entirety and insert "trials; to provide for a graduated reduction in the cause of action threshold amount required to be entitled to a jury"

AMENDMENT NO. 3

On page 1, line 6, after "Article" and before the comma "," change "1732" to "1732(1)"

AMENDMENT NO. 4

On page 1, delete lines 10 through 19 in their entirety and insert the following:

"(1)(a) A suit where the amount of no individual petitioner's cause of action exceeds ~~fifty thousand dollars~~ the amount set forth in Subsubparagraph (b) of this Subparagraph, exclusive of interest and costs, except as follows:

(a) (i) If an individual petitioner stipulates or otherwise judicially admits sixty days or more prior to trial that the amount of the individual petitioner's cause of action does not exceed ~~fifty thousand dollars~~ the amount set forth in Subsubparagraph (b) of this Subparagraph, exclusive of interest and costs, a defendant shall not be entitled to a trial by jury.

(b) (ii) If an individual petitioner stipulates or otherwise judicially admits for the first time less than sixty days prior to trial that the amount of the individual petitioner's cause of action does not exceed ~~fifty thousand dollars~~ the amount set forth in Subsubparagraph (b) of this Subparagraph, exclusive of interest and costs, any other party may retain the right to a trial by jury if that

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party is entitled to a trial by jury pursuant to this Article and has otherwise complied with the procedural requirements for obtaining a trial by jury.

~~(e)(iii)~~ Notwithstanding Subsubparagraphs (a) and (b) of this Subparagraph, if, as a result of a compromise or dismissal of one or more claims or parties which occurs less than sixty days prior to trial, an individual petitioner stipulates or otherwise judicially admits that the amount of the individual petitioner's cause of action does not exceed ~~fifty thousand dollars~~ the amount set forth in Subsubparagraph (b) of this Subparagraph, exclusive of interest and costs, a defendant shall not be entitled to a trial by jury.

(b)(i) For suits filed on or after January 1, 2015 through December 31, 2015, a suit where no individual petitioner's cause of action exceeds forty thousand dollars.

(ii) For suits filed on or after January 1, 2016 through December 31, 2016, a suit where no individual petitioner's cause of action exceeds thirty thousand dollars.

(iii) For suits filed on or after January 1, 2017 through December 31, 2017, a suit where no individual petitioner's cause of action exceeds twenty thousand dollars.

(iv) For suits filed on or after January 1, 2018, a suit where no individual petitioner's cause of action exceeds ten thousand dollars.

* * *

AMENDMENT NO. 5

On page 2, delete lines 1 through 19 in their entirety and insert the following:

"Section 2. The provisions of this Act shall become effective on January 1, 2015."

Rep. Johnson moved to table the bill.

Rep. Garofalo objected to tabling the bill.

By a vote of 51 yeas and 49 nays, the House agreed to table the bill.

HOUSE BILL NO. 613—

BY REPRESENTATIVES ABRAMSON AND HENRY
AN ACT

To amend and reenact Code of Civil Procedure Article 1732(1), relative to jury trials; to provide for the limitations on the availability of jury trials in certain circumstances; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Barrow, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Barrow on behalf of the Legislative Bureau to Engrossed House Bill No. 613 by Representative Abramson

AMENDMENT NO. 1

On page 2, line 26, change "Subparagraph" to "Subsubparagraph"

AMENDMENT NO. 2

On page 2, line 27, change "Paragraph" to "Subparagraph"

On motion of Rep. Barrow, the amendments were adopted.

Rep. Abramson moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Fannin	Lopinto
Abramson	Foil	Lorusso
Adams	Garofalo	Morris, Jay
Anders	Geymann	Morris, Jim
Arnold	Greene	Pearson
Barras	Guinn	Ponti
Berthelot	Harris	Schexnayder
Bishop, S.	Harrison	Schroder
Broadwater	Havard	Seabaugh
Burford	Henry	Shadoin
Burns, H.	Hensgens	Simon
Burns, T.	Hoffmann	Stokes
Carmody	Hollis	Talbot
Carter	Howard	Thibaut
Champagne	Huval	Thompson
Chaney	Ivey	Whitney
Cromer	Jones	Williams, A.
Danahay	Landry, N.	Williams, P.
Dove	Leopold	

Total - 56

NAYS

Armes	Hill	Norton
Badon	Honore	Ortego
Barrow	Hunter	Pierre
Billiot	Jackson	Pope
Brown	James	Price
Connick	Jefferson	Reynolds
Cox	Johnson	Ritchie
Dixon	Lambert	Smith
Edwards	Landry, T.	St. Germain
Franklin	LeBas	Thierry
Gaines	Leger	Willmott
Gisclair	Mack	Woodruff
Guillory	Miller	
Hazel	Montoucet	

Total - 40

ABSENT

Bishop, W.	Hodges	Pylant
Brossett	Moreno	Richard
Burrell	Pugh	Robideaux

Total - 9

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Abramson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

Suspension of the Rules

On motion of Rep. Miller, the rules were suspended in order to take up and consider Petitions, Memorials, and Communications at this time.

**Petitions, Memorials, and
Communications**

The following petitions, memorials, and communications were received and read:

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

April 15, 2014

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 59, 60, 61, 65, 66, 67, 68, and 76

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

The Senate Concurrent Resolutions contained herein were signed by the Speaker of the House.

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 15, 2014

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has concurred in the following House Concurrent Resolutions:

House Concurrent Resolution No. 72
Returned without amendments

House Concurrent Resolution No. 73
Returned without amendments

House Concurrent Resolution No. 74
Returned without amendments

House Concurrent Resolution No. 75
Returned without amendments

House Concurrent Resolution No. 76
Returned without amendments

House Concurrent Resolution No. 79
Returned without amendments

House Concurrent Resolution No. 82
Returned without amendments

House Concurrent Resolution No. 84
Returned without amendments

Respectfully submitted,

GLENN A. KOEPP

Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

April 15, 2014

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution Nos. 70, 72, 74, 80, and 82

Respectfully submitted,

GLENN A. KOEPP
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Miller, the rules were suspended in order to take up and consider Senate Concurrent Resolutions at this time.

**Senate Concurrent Resolutions
Lying Over**

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

**SENATE CONCURRENT RESOLUTION NO. 70—
BY SENATOR GARY SMITH AND REPRESENTATIVE MILLER
A CONCURRENT RESOLUTION**

To commend and congratulate the Destrehan Lady Wildcats for an outstanding and historic season and on reaching the state championship game.

Read by title.

On motion of Rep. Miller, and under a suspension of the rules, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 72—
BY SENATOR THOMPSON
A CONCURRENT RESOLUTION**

To express the sincere and heartfelt condolences of the Legislature of Louisiana upon the death of Tallulah mayor Eddie Beckwith Jr.

Read by title.

On motion of Rep. Chaney, and under a suspension of the rules, the resolution was concurred in.

**SENATE CONCURRENT RESOLUTION NO. 74—
BY SENATORS WHITE, DONAHUE, ERDEY AND NEVERS AND
REPRESENTATIVES BROADWATER, EDWARDS, PUGH AND SIMON
A CONCURRENT RESOLUTION**

To commend the Southeastern Louisiana University Football Team for setting a single season school record for victories.

Read by title.

On motion of Rep. Broadwater, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 80—

BY SENATOR BROOME

A CONCURRENT RESOLUTION

To commend Susan G. Komen for the Cure and its Louisiana Affiliates for its work to increase life expectancy and the improvement in the quality of life in local communities through the delivery of breast cancer education, screening, treatment, and research, and to recognize April 29, 2014, as Susan G. Komen Day at the Louisiana Legislature.

Read by title.

On motion of Rep. Barrow, and under a suspension of the rules, the resolution was concurred in.

SENATE CONCURRENT RESOLUTION NO. 82—

BY SENATORS WHITE, DONAHUE, ERDEY AND NEVERS AND REPRESENTATIVES BROADWATER, EDWARDS, PUGH AND SIMON

A CONCURRENT RESOLUTION

To commend the Southeastern Louisiana University women's soccer team, the Lady Lions, for earning a National Collegiate Athletic Association (NCAA) Tournament bid.

Read by title.

On motion of Rep. Broadwater, and under a suspension of the rules, the resolution was concurred in.

Suspension of the Rules

On motion of Rep. Burrell, the rules were suspended in order to take up and consider Introduction of Resolutions, House and House Concurrent at this time.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE RESOLUTION NO. 82—

BY REPRESENTATIVES BURRELL AND NORTON

A RESOLUTION

To commend KSLA News 12 television station upon the celebration of its sixtieth anniversary of broadcasting in the Shreveport-Bossier market.

Read by title.

On motion of Rep. Burrell, and under a suspension of the rules, the resolution was adopted.

HOUSE RESOLUTION NO. 83—

BY REPRESENTATIVE JAMES

A RESOLUTION

To commend the Louis A. Martinet Legal Society for its contributions to the legal profession and community and to recognize April 16, 2014, as Louis A. Martinet Day at the Louisiana State Capitol.

Read by title.

On motion of Rep. James, and under a suspension of the rules, the resolution was adopted.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on
Appropriations

April 15, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Appropriations to submit the following report:

House Bill No. 142, by Richard
Reported with amendments. (21-0)

House Bill No. 389, by Leger
Reported favorably. (19-0)

House Bill No. 853, by Harris
Reported with amendments. (17-0)

JAMES R. "JIM" FANNIN
Chairman

Report of the Committee on
Civil Law and Procedure

April 15, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Concurrent Resolution No. 63, by James
Reported favorably. (11-0)

House Bill No. 125, by Harrison (Joint Resolution)
Reported without amendments. (11-0)

House Bill No. 338, by Williams, A
Reported with amendments. (11-0)

House Bill No. 421, by Ritchie
Reported with amendments. (11-0)

House Bill No. 488, by Berthelot (Joint Resolution)
Reported without amendments. (9-0)

House Bill No. 505, by Dixon
Reported with amendments. (10-0)

House Bill No. 654, by Lorusso
Reported with amendments. (8-0)

House Bill No. 799, by Bishop, Stuart
Reported with amendments. (6-4-1)

House Bill No. 1114, by Abramson
Reported favorably. (9-0)

House Bill No. 1122, by Smith, Patricia
Reported favorably. (11-0)

House Bill No. 1196, by Lopinto
Reported favorably. (10-0)

NEIL C. ABRAMSON
Chairman

RULE 6.8(A) REPORT
OF THE HOUSE COMMITTEE ON CIVIL LAW AND
PROCEDURE
ON HOUSE BILL NO. 125

April 15, 2014

I. SUMMARY OF JOINT RESOLUTION

This report is for House Bill No. 125 of the 2014 Regular Session by Representative Harrison, proposing to amend Art. VI, Section 20 and Art. VIII, Section 2 of the Constitution.

HB 125 proposes to require that the state superintendent of education shall be elected by the voters and to provide that no person who has served as state superintendent of education for more than two and one-half terms in three consecutive terms shall be elected for the succeeding term.

II. CONCLUSION

The proposed measure can not be accomplished statutorily in order to constitutionally mandate a vote of by the electors.

HB 125 proposes to require the election of the state superintendent of education. The constitution presently authorizes the superintendent to be elected or appointed, depending on the enactment of a law, by a two-thirds vote of the members of the legislature, to provide for such appointment. A change to remove the legislative authority to provide for the appointment of the superintendent and to require a vote of the electors would require a constitutional amendment.

III. OTHER PENDING MEASURES

Total joint resolutions introduced: 57

Total joint resolutions reported
by other standing committees: 5

There is no other pending legislation amending Art. VI, Section 20 or Article VIII, Section 2.

IV. RECOMMENDATION

With Amendments

Without Amendments X

**RULE 6.8(A) REPORT
OF THE HOUSE COMMITTEE ON CIVIL LAW AND
PROCEDURE
ON HOUSE BILL NO. 488**

April 15, 2014

I. SUMMARY OF JOINT RESOLUTION

This report is for House Bill No. 488 of the 2014 Regular Session by Representative Berthelot, proposing to amend Art. VII, Section 25(A)(1) and (E) of the Constitution.

HB 488 proposes to authorize the tax collector to contract with an agent to assist in the tax sale process and provides for a fixed or contingent fee not to exceed the maximum amount established by law.

II. CONCLUSION

The proposed measure can not be accomplished statutorily.

HB 488 proposes to authorize the tax collector to contract with an agent to assist in the tax sale process. The present constitution only authorizes the tax collector to collect delinquent taxes. A change to authorize the tax collector to contract with an agent to collect the delinquent taxes would require a constitutional amendment.

III. OTHER PENDING MEASURES

Total joint resolutions introduced: 57

Total joint resolutions reported
by other standing committees: 5

There is no other pending legislation amending Art. VII, Section 25(A)(1) and (E).

IV. RECOMMENDATION

With Amendments

Without Amendments X

Suspension of the Rules

On motion of Rep. Ponti, the rules were suspended to permit the receipt of the following report containing Senate Bill Nos. 265, 287, 288, and 362, which were heard without the notice required by House Rule 14.24(A).

Report of the Committee on
Commerce

April 15, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Commerce to submit the following report:

House Bill No. 570, by Stokes
Reported by substitute. (13-0)

Senate Bill No. 265, by Martiny
Reported favorably. (13-0)

Senate Bill No. 287, by Martiny
Reported favorably. (13-0)

Senate Bill No. 288, by Martiny
Reported favorably. (13-0)

Senate Bill No. 362, by Cortez
Reported favorably. (13-0)

ERICH E. PONTI
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on
Transportation, Highways, and Public Works

April 15, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

House Resolution No. 66, by Franklin
Reported favorably. (12-0)

House Bill No. 907, by St. Germain
Reported favorably. (14-0)

House Bill No. 979, by St. Germain
Reported with amendments. (15-0)

House Bill No. 1182, by Jones, Sam

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Reported with amendments. (14-0)

KAREN GAUDET ST. GERMAIN
Chairwoman

Report of the Committee on
Ways and Means

April 15, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 236, by Broadwater
Reported with amendments. (17-0)

House Bill No. 824, by Leger
Reported with amendments. (17-0)

House Bill No. 1118, by Burns, Tim
Reported with amendments. (16-0)

House Bill No. 1119, by Jackson, K
Reported favorably. (17-0)

House Bill No. 1137, by Hoffmann
Reported favorably. (17-0)

House Bill No. 1175, by Broadwater
Reported favorably. (17-0)

Senate Bill No. 58, by Alario
Reported favorably. (14-0)

JOEL C. ROBIDEAUX
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

Motion

On motion of Rep. Pugh, the Committee on Appropriations was discharged from further consideration of House Bill No. 233.

HOUSE BILL NO. 233—

BY REPRESENTATIVE PUGH

AN ACT

To enact R.S. 49:186, relative to state agencies; to provide with respect to preferences in the delivery of certain state services and other benefits; to prohibit preferences based on the location of a citizen's residence; to provide exceptions; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Pugh, the bill was withdrawn from the files of the House.

Privileged Report of the Legislative Bureau

April 15, 2014

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 82
Reported without amendments.

Senate Bill No. 93
Reported without amendments.

Senate Bill No. 119
Reported without amendments.

Respectfully submitted,

REGINA BARROW
Chairman

Privileged Report of the Committee on Enrollment

April 15, 2014

To the honorable Speaker and Members of the House of Representatives:

I am directed by your Committee on Enrollment to submit the following report:

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 73—

BY REPRESENTATIVE THIERRY

A RESOLUTION

To express the condolences of the House of Representatives upon the death of noted Opelousas civil rights leader, educator, and pastor, Rev. Charles E. Bryant, Ph.D.

HOUSE RESOLUTION NO. 75—

BY REPRESENTATIVE KLECKLEY

A RESOLUTION

To recognize Monday, April 14, 2014, as National Federation of Independent Business/ Louisiana Small Business Day at the state capitol.

HOUSE RESOLUTION NO. 76—

BY REPRESENTATIVES ORTEGO, BARRAS, BERTHELOT, STUART BISHOP, BURRELL, CHAMPAGNE, COX, DANAHAY, GAINES, GAROFALO, GEYMAN, GISCLAIR, GUILLORY, GUINN, HARRISON, HENSGENS, HUVAL, JOHNSON, JONES, NANCY LANDRY, LEBAS, MILLER, MONTOUCET, PIERRE, PRICE, RICHARD, ROBIDEAUX, SCHEXNAYDER, SMITH, ST. GERMAIN, THIBAUT, THIERRY, WHITNEY, AND WILLMOTT

A RESOLUTION

To commemorate the two hundred fiftieth anniversary of the arrival of Acadians in Louisiana and to recognize the unique contributions of the Acadian people to the culture and flavor of Louisiana.

Respectfully submitted,

HAROLD RITCHIE
Chairman

The above House Resolutions contained in the report were signed by the Speaker of the House and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Suspension of the Rules

On motion of Rep. Simon, the rules were suspended to permit the Committee on Health and Welfare to consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 1200

House Concurrent Resolution No. 43

Adjournment

On motion of Rep. Billiot, at 6:28 P.M., the House agreed to adjourn until Wednesday, April 16, 2014, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Wednesday, April 16, 2014.

ALFRED W. SPEER
Clerk of the House

Committee Meeting Notices

The following committees posted notices as follows:

Committee on Administration of Criminal Justice

Will meet at: 9:30 a.m. Date: Wednesday, April 16, 2014

Location: Committee Room 6

- HB 13** **BADON WEAPONS/FIREARMS** Creates the crime of unlawful sales of firearms
- HB 71** **HAVARD CRIMINAL/APPEALS** Limits appeals of death row inmates
- HB 494** **IVEY WEAPONS/FIREARMS** (Constitutional Amendment) Provides that the right to keep and bear arms includes the right to carry a concealed handgun without a permit or license
- HB 508** **GREENE DWI** Provides relative to certain offenses of operating a vehicle while intoxicated
- HB 511** **GUILLOREY, M DWI** Provides relative to operating a vehicle while intoxicated
- HB 519** **IVEY WEAPONS/FIREARMS** Authorizes the possession of short barrel firearms without federal registration for lifetime concealed handgun permit holders
- HB 520** **IVEY WEAPONS/FIREARMS** Excludes carrying a concealed handgun from the crime of illegal carrying of weapons for certain persons
- HB 546** **BARROW CRIMINAL/PROCEDURE** Provides with respect to restitution in criminal cases
- HB 638** **CONNICK SEX OFFENSE/REGISTRY** Provides relative to the crime of failure to register as a sex offender or child predator
- HB 639** **CONNICK SEX OFFENSE/REGISTRY** Amends the definition of criminal offense against a victim who is a minor to include certain convictions of stalking
- HB 697** **CONNICK SEX OFFENSE/REGISTRY** Provides relative to the in-person periodic renewals of persons who are required to register but do not have a fixed residence address

- HB 707** **GAROFALO WEAPONS/FIREARMS** Creates an exception to the crime of carrying a concealed weapon on a school campus for concealed weapons holders who are teachers or administrators of certain schools
- HB 885** **CONNICK SEX OFFENSE/REGISTRY** Provides for certain procedures relative to the end of registration and notification requirements of convicted sex offenders and child predators
- HB 1142** **BURRELL CRIMINAL/BAIL** Provides relative to bail restrictions for offenses against a family or household member or dating partner
- HB 1157** **BADON CORRECTIONS** Amends provisions of law regarding intensive parole supervision
- HB 1158** **BADON CRIME** Creates the crime of solicitation of funds or transportation for certain unlawful purposes
- HB 1216** **JOHNSON SEX OFFENSE/REGISTRY** Amends the crime of unlawful presence of a sex offender relative to a former victim
- SB 296** **MORRELL CRIMINAL JUSTICE** Provides relative to inventory of untested sexual assault collection kits. (8/1/14)
- SB 542** **MORRELL GAMING** Requires annual report from the Gaming Control Board on impact of technology advances on gaming industry. (8/1/14)

JOSEPH P. LOPINTO, III
Chairman

Committee on Education

Will meet at: 9:00 a.m. Date: Wednesday, April 16, 2014

Location: Committee Room 1

ANY LEGISLATIVE INSTRUMENT LISTED ON THIS NOTICE WHICH IS NOT DISPOSED OF BEFORE THE HOUSE CONVENES MAY BE CARRIED OVER AND HEARD UPON ADJOURNMENT AND HB 1177 WILL BE HEARD UPON ADJOURNMENT.

- HCR 61** **LEGER EDUCATION/FINANCE** Urges and requests BESE to develop a statewide funding model for early childhood care and educational services
- HB 89** **MILLER SCHOOLS/FINANCE** Provides relative to the payment of accrued liabilities of retirement systems and other retirement obligations from minimum foundation program funds allocated to charter schools
- HB 184** **HAVARD SCHOOLS/CHARTER** Provides relative to assets or property acquired or used by charter schools under certain circumstances
- HB 701** **EDWARDS SCHOOLS/CHOICE** Provides relative to student eligibility for vouchers
- HB 702** **EDWARDS SCHOOLS/CHOICE** Provides relative to eligibility of kindergarten students for participation in the voucher program
- HB 703** **EDWARDS SCHOOLS/CHARTER** Prohibits the State Board of Elementary and Secondary Education from authorizing charter schools under certain circumstances
- HB 816** **BARROW SCHOOLS/DISTRICTS** Requires that the Recovery School District provide advance notice to

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- contractors when decisions have been made to cancel contracts
- HB 836 HARRISON SCHOOLS/CHOICE** Requires the state Dept. of Education to develop an accountability system for nonpublic schools participating in the voucher program and requires compliance with the system by such schools
- HB 876 SEABAUGH SCHOOLS/BOARDS** Provides relative to greetings and displays associated with traditional celebrations in winter in public schools
- HB 941 LEGER SCHOOLS/FINANCE** Provides for allocations of certain public school funds to building renovation and replacement purposes in certain school districts
- HB 1177 CARTER SCHOOLS** Provides relative to the governance of schools in large school systems
- HB 1199 SCHRODER EDUCATION** Provides relative to parents' access to information about schools and instructional materials used by schools
- HB 1228 FOIL SCHOOLS/CHARTER** Provides relative to a program for educating students with exceptionalities
- HB 1243 HODGES SCHOOLS/CHARTER** Provides conditions and prohibitions relative to approval of certain charter school proposals

STEPHEN F. CARTER
Chairman

Committee on Health and Welfare

Will meet at: 10:30 a.m. Date: Wednesday, April 16, 2014

Location: Committee Room 5

- HCR 38 HOLLIS CONGRESS** Urges Louisiana's congressional delegation to support a national moratorium on the Patient Protection and Affordable Care Act
- HCR 43 CARMODY (TBA) BOARDS/COMMISSIONS** Requests the State Board of Medical Examiners to study and make recommendations concerning authorization to perform certain surgical procedures (Subject to Rule Suspension)
- HCR 67 LEGER HEALTH/CANCER** Provides for the Louisiana Colorectal Cancer Roundtable to be coordinated by the School of Public Health of the LSU Health Sciences Center at New Orleans
- HB 66 MONTUCET BOARDS/COMMISSIONS** Requires state-affiliated physicians to serve on the State Medical Disability Board upon request of the Firefighters' Retirement System
- HB 216 SCHRODER PUBLIC HEALTH** Provides for preparation of pies in the home for public consumption
- HB 228 JEFFERSON CHILDREN/FOSTER CARE** Relative to criminal history of an adult living in a foster home
- HB 294 BISHOP, STUART PUBLIC HEALTH** Provides relative to preparation of cane syrup in the traditional manner for public consumption

- HB 396 WILLMOTT BOARDS/COMMISSIONS** Provides relative to the membership of the Nursing Supply and Demand Council
- HB 403 BURFORD HUMAN REMAINS** Provides for certificates of stillbirth and hospital policies concerning disposition of fetal remains
- HB 775 SIMON CONSUMERS/FOOD-BEVERAGES** Provides relative to home processors of food for sale
- HB 889 HOLLIS HEALTH CARE** Establishes a fund to educate Louisiana citizens on ways to opt out of the Affordable Care Act
- HB 1052 MORENO FAMILY VIOLENCE** Creates the Domestic Violence Prevention Commission
- HB 1061 SCHRODER CHILDREN/ABUSE** Provides relative to legal representation for children and indigent parents in child protection cases
- HB 1148 LORUSSO SANITARY CODE** Provides with respect to certain food service establishment permits
- HB 1200 STOKES (TBA) MEDICAID** Provides relative to Medicaid recovery audit contractors and procedures (Subject to Rule Suspension)
- HB 1215 JOHNSON HEALTH CARE/PROVIDERS** Provides relative to collaborative practice agreements between advanced practice registered nurses and physicians

SCOTT M. SIMON
Chairman

Committee on House and Governmental Affairs

Will meet at: 9:30 a.m. Date: Wednesday, April 16, 2014

Location: Committee Room 2

- HB 121 RICHARD PUBLIC RECORDS** Provides relative to records of the office of the governor
- HB 318 DANAHAY PUBLIC RECORDS** Provides a public records exemption for certain documents of or in the possession of the Board of Tax Appeals
- HB 614 ABRAMSON PUBLIC MEETINGS** Provides relative to certain deadlines relative to meetings of public bodies
- HB 616 ABRAMSON PUBLIC RECORDS** Provides relative to public records requests
- HB 684 ABRAMSON DISTRICTS/CRIME PREVENT** Exempts certain security districts and similar districts from certain requirements for public notice and for recording or broadcast of certain meetings
- HB 686 BARROW BOARDS/COMMISSIONS** Provides relative to disclosure of information concerning certain boards and commissions
- HB 879 THIBAUT INSURANCE** Provides relative to insurance holding companies
- HB 1121 DANAHAY PUBLIC RECORDS** Provides an exemption from the Public Records Law for certain

	commercially sensitive information of a public power authority	SB 254	MORRISH LIABILITY INSURANCE Provides relative to travel insurance. (8/1/14)
HB 1135	SEABAUGH PUBLIC RECORDS Exempts certain records and information pertaining to selection or service of a grand or petit jury from the Public Records Law	SB 436	MORRISH INSURANCE CLAIMS Changes the sunset date of the "Sledge Jeansonne Louisiana Insurance Fraud Prevention Act". (8/1/14)
HB 1207	PIERRE PUBLIC RECORDS Provides references in the Public Records Law to exemptions applicable to certain records relative to insurance		GREG CROMER Chairman
HB 716	HENRY PUBLIC CONTRACTS Establishes protections for certain independent public contractors who report criminal activity on the part of public entities		Committee on Natural Resources and Environment
HB 198	WILLIAMS, A REAPPORTIONMENT/JUDGES Provides for the election sections for the City Court of Baton Rouge and for the number of judges elected from such sections		Will meet at: 9:30 a.m. Date: Wednesday, April 16, 2014
HB 1151	PONTIREAPPORTIONMENT/JUDGES Provides relative to the election of judges for the City Court of Baton Rouge		Location: Committee Room 4
HB 1178	HONORE SCHOOLS Provides relative to the membership and election of members of the East Baton Rouge Parish School Board	HCR 52	FOIL WATER/RESOURCES Urges the commissioner of conservation to evaluate the appropriateness of restrictions on withdrawals from the Southern Hills Aquifer System
	TIMOTHY G. "TIM" BURNS Chairman	HB 311	ST. GERMAIN PUBLIC LANDS/STATE Removes lands located in the Atchafalaya Basin from certain state lease requirements
	Committee on Insurance	HB 609	ABRAMSON PROPERTY/PUBLIC Provides with respect to state property in Orleans parish
Will meet at: 9:30 a.m. Date: Wednesday, April 16, 2014		HB 782	THOMPSON, J WATER/RESOURCES Deposits proceeds collected by the state from the use or withdrawal of surface water into the Aquatic Plant Control Fund for aquatic weed control and eradication
Location: Committee Room 3		HB 1081	BISHOP, STUART PROPERTY/PUBLIC Provides for the authority to transfer or lease certain state property in Lafayette Parish
HB 470	HARRISON INSURERS Requires insurers who are admitted to write homeowner's policies in the state to provide coverage on any residential structure which has been constructed or retrofitted to comply with the Uniform Construction Code	HB 1085	SCHEXNAYDER PROPERTY/PUBLIC Provides for the lease of certain state property in Ascension Parish
HB 1163	JACKSON, K INSURANCE Requires an insurer who obtains a consumer's credit report to provide a copy of the credit report to the applicant	HB 1120	JAMES WATER/RESOURCES Determines that the Southern Hills Aquifer System is an area of groundwater concern and a critical area of groundwater concern and provides for limitations on groundwater removal from such aquifer system
HB 1203	STOKES INSURANCE CLAIMS Provide that insurers may not use claims that did not exceed the insured's deductible to cancel coverage	HB 1154	GISCLAIR FISHING/CRABS Provides for the size and number of escape rings on crab traps
HB 1218	GREENE INSURANCE/AUTOMOBILE To provide with respect to notice of uninsured motorist coverage	HB 1160	GAROFALO FISHING/CRABS To require the Wildlife and Fisheries Commission to establish a program to enhance and elevate professionalism in the commercial crab industry
SB 178	MORRISH HEALTH/ACC INSURANCE Provides with respect to health care sharing ministries. (8/1/14)	HB 1204	REYNOLDS MINERALS/RIGHTS Provides for alternate unit well permits
SB 181	MORRISH PROPERTY INSURANCE Provides with respect to the Louisiana Citizens Property Insurance Corporation policy take-out program. (8/1/14)	HB 1242	ORTEGO BOATS/SHIPS/VESSELS Authorizes the use of kayaks, canoes, and pirogues at the Rockefeller Wildlife Refuge
SB 243	MORRISH PUBLIC SFTY/CORRECT DEPT Provide with respect to the Insurance Fraud Investigation Unit. (7/1/14)		GORDON E. DOVE, SR. Chairman
SB 247	MORRISH INSURANCE DEPARTMENT Provides with respect to insurance fraud. (8/1/14)		